

2/23/88

100A

BOND RESOLUTION DATED February 23, 1988.

#106

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$356,000 SERIAL BONDS OF THE TCWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated _____, 1988, the Town Board of the Town of Riverhead, Suffolk County, New York, has determined it to be in the public interest to increase and improve the facilities of the Riverhead Water District in said Town; and

WHEREAS, such increase and improvement proposed for such Water District represents a phase of an overall plan to increase the water distribution facilities of the Riverhead Water District;

WHEREAS, such overall plan encompasses the acquisition and installation of approximately 77,500 feet of water mains ranging from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances, a portion which will serve the entirety of said Riverhead Water District and a portion of which will serve only the proposed Extension No. 32J - Jamesport to said Riverhead Water District;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$2,869,000, of which amount 87.6%, or \$2,513,000, shall be allocated and charged as the capital cost of said Extension, and of which amount 12.4%, or \$356,000, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District, as extended, including the proposed Extension; and

-2-

WHEREAS, it is now desired to provide for financing the cost of the increase and improvement of the facilities of the Riverhead Water District; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Riverhead Water District of the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, there are hereby authorized to be issued \$356,000 serial bonds of the Town of Riverhead, Suffolk County, New York pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the increase and improvement of the facilities of the Riverhead Water District is \$356,000 and that the plan for the financing thereof shall consist of the issuance of the serial bonds of said Town authorized to be issued pursuant to this bond resolution. Further details pertaining to said bonds will be prescribed in a further resolution or resolutions of this Town Board.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

-3-

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

-4-

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution which takes effect immediately shall be published in full in The Riverhead News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

2/23/88

158E

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

____ Supervisor Janoski _____	VOTING	____ Yes _____
____ Councilman Lombardi _____	VOTING	____ Yes _____
____ Councilman Boschetti _____	VOTING	____ Yes _____
____ Councilman Pike _____	VOTING	____ Yes _____
____ Councilwoman Civiletti _____	VOTING	____ Yes _____

The resolution was thereupon declared duly adopted.

* * * * *

2/23/88

130F

STATE OF NEW YORK)
)ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on _____, 1986, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Riverhead News Review

January 5, 1988

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

January 5, 1988

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on _____, 1986.

(SEAL)

Town Clerk

2/23/88

72113-351P

159

#107

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town, on the 23rd day of February, 1988, at 7:30 o'clock P.M.,
Prevailing Time.

PRESENT:

Joseph F. Janoski
Supervisor

John Lombardi
Councilman

Louis Boschetti
Councilman

Robert Pike
Councilman

Denise Civiletti
Councilman

In the Matter of
the Increase and Improvement
of the facilities of the Riverhead
Water District in the Town of
Riverhead, Suffolk County, New York

Councilman Pike offered the following resolution which was
seconded by Councilman Boschetti.

WHEREAS, the Town Board of the Town of Riverhead, Suffolk
County, New York, has duly caused to be prepared a map, plan and
estimate of cost, pursuant to Section 202-b of the Town Law,
relating to the increase and improvement of the facilities of
the Riverhead Water District; and

WHEREAS, such increase and improvement proposed for such
Water District represents a phase of an overall plan to increase
the water distribution facilities of the Riverhead Water
District;

-2-

WHEREAS, such overall plan encompasses the acquisition and installation of approximately 77,500 feet of water mains ranging from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances, a portion which will serve the entirety of said Riverhead Water District and a portion of which will serve only the proposed Extension No. 32J - Jamesport to said Riverhead Water District;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$2,869,000, of which amount 87.6%, or \$2,513,000, shall be allocated and charged as the capital cost of said Extension, and of which amount 12.4%, or \$356,000, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District, as extended, including the proposed Extension; and

WHEREAS, at a meeting of said Town Board duly called and held on October 7, 1986, an order was duly adopted by it and entered in the minutes reciting the filing of such map, plan and estimate of cost, the improvement proposed and the maximum aggregate amount proposed to be expended for the increase and improvement of the facilities of the Riverhead Water District, to-wit: the sum of three hundred fifty six thousand dollars (\$356,000), and specifying that the said Board would meet to consider the map, plan and estimate of cost and the increase and improvement of the facilities of the Riverhead Water District and to hear all persons interested in the subject thereof

-3-

concerning the same at 200 Howell Avenue, in Riverhead, New York, in said Town, on the 21st day of October, 1986, at 8:45 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in News-Review, the official newspaper of this Town, on October 7th, 1986, and a copy of such order was posted on October 9th, 1986, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Riverhead Water District, in the manner described in the preambles thereof, at a maximum aggregate estimated cost of \$356,000.

-4-

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<u>Supervisor Janoski</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilman Lombardi</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilman Boschetti</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilman Pike</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilwoman Civiletti</u>	<u>VOTING</u>	<u>Yes</u>

The order was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
)ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on February 23, 1988, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Riverhead News Review

January 5, 1988

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice-----

Date of Posting

Town Clerk's Bulletin Board

January 5, 1988

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on February 23, 1988.

(SEAL)

Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

72113-351P

#108

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on February 23, 1988, at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

Joseph F. Janoski
Supervisor

John Lombardi
Councilman

Louis Boschetti
Councilman

Robert Pike
Councilman

Denise Civiletti
Councilman

In the Matter)	
of)	
The establishment of a proposed)	
Extension to the Riverhead Water)	
District in the Town of Riverhead,)	
Suffolk County, New York, to be)	FINAL ORDER
known as Extension No. 32J - Jamesport)	
to Riverhead Water District, of the)	
Town of Riverhead, Suffolk County,)	
New York)	

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has heretofore duly caused a map, plan and report to be prepared by a competent engineer, duly licensed by the State of New York, which have been filed in the office of the Town Clerk of said Town in relation to the establishment of an extension to the Riverhead Water District in said Town, to be known as Extension 32J - Jamesport to the Riverhead Water District, and the acquisition and

- 2 -

installation of approximately 77,500 feet of water mains, ranging from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances in connection therewith; and

WHEREAS, an order was duly adopted by said Town Board on October 7, 1986, reciting a description of the boundaries of said proposed Extension No. 32J - Jamesport to the Riverhead Water District, the improvement proposed therefor, the maximum amount proposed to be expended for said improvement, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's office for public inspection, and specifying the 21st day of October, 1986, at 8:35 o'clock P.M., Prevailing Time, at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same;

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of such publication and posting has been duly presented to said Town Board;

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard;

WHEREAS, following said public hearing, and based upon the evidence given thereat, said Town Board duly adopted a resolution determining in the affirmative all of the questions set forth in

- 3 -

subdivision 1 of Section 209-e of the Town Law and approving the establishment of said Extension No. 32J - Jamesport to the Riverhead Water District, such order being adopted subject to permissive referendum;

WHEREAS, notice of the adoption of said resolution was duly published and posted in the manner provided by applicable provisions of the Town Law, and proof of said publication and posting has been duly presented to this Town Board;

WHEREAS, the period of time for the submission and filing of a petition against said resolution and requesting a referendum in connection therewith elapsed without such a petition being submitted and filed; and

WHEREAS, in response to an application duly made pursuant to subdivision 3 of Section 209-f of the Town Law, the State Comptroller has duly made an order, in duplicate, dated September 25 _____, 1987, granting permission for the establishment of said Extension No. 32J - Jamesport to the Riverhead Water District, one copy of which has been filed in the office of the Town Clerk and which has been submitted to said Town Board; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

- 4 -

Section 1. The Extension No. 32J - Jamesport to the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, in accordance with the aforesaid order of the State Comptroller, is hereby established, to be bounded and described as follows:

2/23/88

169

HOLZMACHER, McLENDON & MURRELL, P.C.

RIVERHEAD WATER DISTRICT
DESCRIPTION OF PROPOSED EXTENSION NO. 32J

JAMESPORT

BEGINNING at a point on the southeasterly corner of the Riverhead Water District Extension No. 27, South Aquebogue, said point being the southeasterly corner of Section 87, Block 1, lot 34.

From said point of beginning, running thence northerly along the west line of Section 87, Block 2, lot 1.1 to the northwest corner of lot 1.1.

Thence northeasterly across Peconic Bay Blvd. to the southeast corner of Section 88, Block 1, lot 8.

Thence northerly along the east line of lot 8 to the northwest corner of Section 88, Block 1, lot 8.

Thence westerly along the north line of Section 88, Block 1, lots 8 and 5 to the northwest corner of lot 5.

Thence northerly, easterly, northerly then westerly along the east and north line of Section 88, Block 1, lot 3 to the northwest corner of lot 3.

Thence southerly along the west line of Section 88, Block 1, lot 3 to a point 500 feet north of Peconic Bay Blvd.

Thence easterly along a line through Section 88, Block 1, lots 2 and 1, parallel to and 500 feet north of Peconic Bay Blvd.

HOLZMACHER, McLENDON & MURRELL, P.C.

Continue parallel to and 500 feet north of Peconic Bay Blvd. easterly and northerly through Section 86, Block 2, lots 7 and 8.2 to the northeast corner of Section 86, Block 2, lot 21.4.

Thence southwesterly along the north line of Section 86, Block 2, lots 21.4 and 21.5 to the northeast corner of lot 21.5.

Thence across Section 86, Block 2, lot 21.7 to the northeast corner of Section 86, Block 2, lot 21.6.

Thence southwesterly along the north line of Section 86, Block 2, lots 21.6 and 21.2 to the northwest corner of lot 21.2.

Thence northerly along the east line of Section 86, Block 2, lots 20, 19, 18, 16.3, 16.4, 15 and 12 to the northwest corner of Section 86, Block 2, lot 10.

Thence southeasterly along the south line of the MTA (LIRR) property, Section 86, Block 2, lot 11 to the northwest corner of Section 88, Block 1, lot 18.

Thence northerly along the east line of Section 68, Block 3, lot 32.4 to the northeast corner of lot 32.4.

Thence across Main Road to the southeast corner of Section 68, Block 1, lot 20.

Thence northerly along the east line of Section 68, Block 1, lot 20 to the northeast corner of lot 20.

Thence northeasterly through Section 68, Block 1, lots 22 and 24.3 to the northwest corner of Section 68, Block 1, lot 29.2.

Thence easterly along the north line of lot 29.2 to the westerly line of Section 68, Block 1, lot 31.

H2M HOLZMACHER, McLENDON & MURRELL, P.C.

Thence easterly through Section 68, Block 1, lot 31 to the west line of Section 47, Block 1, lot 3.1 at a point 1,811± feet north of Main Road.

Thence northerly to the northeast corner of Section 47, Block 1, lot 3.1.

Thence easterly along the north line of lot 3.1 to the northeast corner of lot 3.1.

Thence across Manor Lane to the west line of Section 47, Block 2, lot 5.

Thence northerly, easterly, then southerly to the northeast corner of Section 47, Block 2, lot 14.

Thence northerly, then southeasterly along the north line of Section 47, Block 2, lot 14 to the northeast corner of Section 69, Block 1, lot 11.

Thence southerly along the west line of Section 48, Block 1, lot 1.1 to Main Road.

Thence southerly across Main Road to the northeast corner of Section 69, Block 2, lot 22.

Thence southerly along the east line of Section 69, Block 2, lots 22 and 18 to the southeast corner of lot 18.

Thence southerly across MTA (LIRR) property, Section 69, Block 2, lot 13 to the northeast corner of Section 69, Block 3, lot 53.

Thence northeasterly along the north line of Section 69, Block 3, lots 53, 54, 56, 57, 58 and 59 to the northeast corner of lot 59.

2/23/88

172

H2M HOLZMACHER, McLENDON & MURRELL, P.C.

Thence northeasterly along the south line of Section 48, Block 3, lot 24.1 to the Town of Riverhead - Town of Southold town boundary line.

Thence southerly along the town line to the shoreline of Peconic Bay.

Thence westerly along the shoreline of Peconic Bay to a point at the southeast corner of Section 87, Block 1, lot 34, which is south of the easterly terminus of Locust Street, said point being place of BEGINNING.

-5-

Section 2. The acquisition and installation of approximately 77,500 feet of water mains, ranging from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances in connection therewith, substantially in accordance with the aforesaid map, plan and report, is hereby authorized and approved. The maximum amount to said Extension No. 32J - Jamesport pursuant to these proceedings for said construction shall not exceed \$2,513,000. Said cost of said improvement shall be financed by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, payable in the first instance from assessments levied upon and collected from the several lots and parcels of land within said Extension No. 32J - Jamesport to the Riverhead Water District, which the Town shall determine and specify to be especially benefited by the improvement, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due. The maximum total cost for said construction shall not exceed \$2,869,000, of which amount \$356,000 shall be allocated and charged as a cost of increasing and improving the facilities of the Riverhead Water District and be borne by the entire District, as extended, including the Extension No. 32J - Jamesport, and \$2,513,000 shall be allocated and charged as provided hereinabove.

-6-

Section 3. The Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Suffolk County, New York, within ten days after the adoption of this order by this Town Board and to file a certified copy thereof within that time in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-g of the Town Law.

Section 4. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

<u>Supervisor Janoski</u>	VOTING	<u>Yes</u>
<u>Councilman Lombardi</u>	VOTING	<u>Yes</u>
<u>Councilman Boschetti</u>	VOTING	<u>Yes</u>
<u>Councilman Pike</u>	VOTING	<u>Yes</u>
<u>Councilwoman Civiletti</u>	VOTING	<u>Yes</u>

The order was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on November 17, 1987, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, and that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news mediaDate given

Riverhead News Review

January 5, 1988

and that further duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

January 5, 1988

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the :
seal of said Town on _____, 1987.

Town Clerk

(CORPORATE
SEAL)

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#109 Councilman Lombardi offered the following resolution which was seconded by Councilwoman Civiletti.

BOND RESOLUTION DATED NOVEMBER 17, 1987.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,513,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION AND INSTALLATION OF WATER MAIN, FOR EXTENSION NO. 32J - JAMESPORT TO THE RIVERHEAD WATER DISTRICT OF SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, and more particularly an order dated November 17, 1987, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 32J - Jamesport to the Riverhead Water District of the Town of Riverhead;

WHEREAS, the improvements proposed for such Extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be acquired and installed in such Extension of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District;

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension,

WHEREAS, said improvements consist of the acquisition and installation of approximately 77,500 feet of water mains ranging

- 2 -

from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances, as more fully described in the aforesaid Order establishing said Extension No. 32J - Jamesport to the Riverhead Water District;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$2,869,000, of which amount 87.6%, or \$2,513,000, shall be allocated and charged as the capital cost of said Extension, and of which amount 12.4%, or \$356,000, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District, which shall be borne by the entire District, as extended, including the Extension; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the share of the cost charged as the capital cost to Extension No. 32J - Jamesport to the Riverhead Water District, of the acquisition and installation of approximately 77,500 feet of water main, ranging from 6-inch to 12-inch in diameter, together with valves, hydrants and necessary appurtenances in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$2,513,000 serial bonds of the Town of Riverhead, Suffolk County, New York pursuant to the provisions of the Local Finance Law.

- 3 -

Section 2. The maximum estimated cost to Extension No. 32J - Jamesport to the Riverhead Water District of the aforescribed improvements is \$2,513,000 and the plan for the financing thereof shall consist of the issuance of the \$2,513,000 serial bonds of said Town, authorized to be issued pursuant to this bond resolution. Further details pertaining to said bonds will be prescribed in a further resolution or resolutions of this Town Board.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually

- 4 -

assessed upon and collected from the several lots and parcels of land within said Extension No. 32J - Jamesport deemed benefited by the improvement, so much upon and from each as shall be in just proportion to the amount of the benefit which the improvement shall confer upon the same, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in The RiverLead News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Supervisor Janoski</u>	VOTING	<u>Yes</u>
<u>Councilman Lombardi</u>	VOTING	<u>Yes</u>
<u>Councilman Boschetti</u>	VOTING	<u>Yes</u>
<u>Councilman Pike</u>	VOTING	<u>Yes</u>
<u>Councilwoman civiletti</u>	VOTING	<u>Yes.</u>

The resolution was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
)ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on November 17, 1987, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news mediaDate given

Riverhead News Review

January 5, 1988

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted noticeDate of Posting

Town Clerk's Bulletin Board

January 5, 1988

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on November , 1987.

Town Clerk

(CORPORATE
SEAL)

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

110 AWARDS CONTRACTS RE: PLANT NO. 7, RIVERHEAD WATER
DISTRICT

RESOLVED, that the Town Supervisor be and is hereby authorized to enter into contracts as follows with regard to Plant No. 7 of the Riverhead Water District.

Contract No. 2	General Construction to Inland Pride, Medford	\$159,699
Contract No. 3	Mechanical & Treatment Bensin Contracting Inc. Holtsville, NY	\$190,500
Contract No. 4	Electrical to Wire to Water, Dix Hills	\$179,425

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the above contractors and forward a copy to Gary Pendzick, Dennis Kelleher of H2M, and Pierre Lundberg, Esq.

Councilman Pike offered the above resolution which was seconded by Councilman Boschetti.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

111 AWARDS BID FOR TWO (2) TRUCKS FOR THE RIVERHEAD WATER DISTRICT

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for two (2) trucks for the Riverhead Water District; and

WHEREAS, bids were received and read aloud on the 4th of February, 1988, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of seven (7) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for two (2) trucks for the Riverhead Water District be and is hereby awarded to Pastor Chevrolet as follows: \$10,870.00 for a 1/2-ton pickup and \$17,471.00 for a one-ton crew-cab pickup; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Pastor Chevrolet and the Riverhead Water District.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

112 AWARDS BID FOR WATER METERS FOR RIVERHEAD WATER DISTRICT

Councilman Lombardi offered the following resolution, which was seconded by Councilman Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for water meters for the Riverhead Water District; and

WHEREAS, bids were received and read aloud on the 11th of February, 1988, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of one (1) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for water meters for the Riverhead Water District be and is hereby awarded to Rockwell International Corporation in the amount of \$28,120.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rockwell International Corporation and Riverhead Water District.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

113 AMENDS BUDGET - EXT. 33 - RIVERHEAD WATER DISTRICT

Councilman Civiletti offered the following resolution,
which was seconded by Councilman Lombardi.

RESOLVED, the following amends resolution of 12/31/87 establishing the budget of Extension 33 to the Riverhead Water District.

Extension Bond	\$ 780,000.00
District Bond	<u>1,860,000.00</u>
	\$2,640,000.00

Water Mains A	\$ 600,062.70
Water Mains B	503,583.50
Water Tank	429,000.00
Wells #1	197,318.00
Wells #2	159,699.00
Wells #3	190,500.00
Wells #4	179,425.00
and	<u>70,600.00</u>
	\$2,315,147.00

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

TOWN OF RIVERHEAD

RESOLUTION #114

RESOLUTION GRANTING A SPECIAL PERMIT PURSUANT
TO CHAPTER 108 OF THE RIVERHEAD TOWN CODE

Re: HENRY LEE (Malibu Associates)

WHEREAS, Henry Lee, on behalf of Malibu Associates (the "Petitioners"), a partnership, is the owner of approximately 81.469 of vacant real property on the northerly side of Sound Avenue, Baiting Hollow said premises being as shown on the attached description, and

WHEREAS, Henry Lee (Malibu East Associates) applied to the Riverhead Planning Board for a subdivision of this property on December 20, 1984 as a 120+ unit condominium pursuant to the clustering provisions of the Riverhead Code, and

WHEREAS, the Planning Board on March 21, 1985 declared itself to be "Lead Agency" and on May 2, 1985 approved a final environmental impact statement on notice to all interested parties of this action, and

WHEREAS, the Town Board extended the Riverhead Water district (Extension No. 31) onto the subject parcel on June 18, 1985 and declared a water tower thereon to be in the public interest and approving bonding the cost thereof on July 16, 1985, the Town has commenced construction of the tower, and

WHEREAS, the Petitioners applied to the Zoning Board of Appeals for a height variance and a variance of fifty (50') was granted on March 31, 1986, and

WHEREAS, the Planning Board by a resolution dated April

23, 1986 approved a yield of sixty-seven (67) condominium units on the subject site pursuant to the Residence A Use Classification, and

WHEREAS, by a transmittal dated October 2, 1986 the applicant filed a "Composite Site Plan" consisting of three sheets prepared by H2M Consulting Engineers showing a five story two building condominium complex of sixty-seven units, tennis courts, amenities, water mains, a water tower, proposed and "future" roads and open space and which transmittal and site plan design (west and/or north of the condominium buildings) reserved application for TDR units on the subject parcel when and if permitted by applicable laws and rules, and

WHEREAS, by a resolution dated December 22, 1986 the Riverhead Planning Board granted the applicant preliminary subdivision approval, and

WHEREAS, by a resolution dated April 21, 1987 the Riverhead Town Board granted site plan (and other) approvals of the 67 unit condominium, and

WHEREAS, by a resolution dated July 15, 1987 the Planning Board approved the final subdivision plan, and

WHEREAS, by a petition dated September 17, 1987 Henry Lee did apply to this Town board for a change of zone from Residence A to Recreational, with the stipulation that off site farmland shall be dedicated to the Suffolk County Farmlands Preservation Program for each additional unit permitted on the property, and

WHEREAS, the Planning Board pursuant to the applicable

statutes, rules and codes as "Lead Agency", did determine the proposed change of zone to Recreational, the offer of dedication of eighteen acres off site to add fifteen units in the approved building foot print and the special permit application for fifteen (15) units to be an unlisted action and adopted a negative declaration and did give notice of its declaration, and

WHEREAS, by resolution dated November 23, 1987 the Planning Board did recommend the requested change of zone subject to conditions, and

WHEREAS, on December 15, 1987 at 7:55 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, a public hearing was held by the Town Board, where at all persons wishing to be heard were heard, and

WHEREAS, this Town Board has considered all the testimony given at the several public hearings on these applications; has reviewed all the correspondence, and other writings submitted to it; has received and noted the recommendation of the Planning Board; has adopted and incorporates herein by reference the final environmental impact statement and has considered these applications in the context of their individual and collective knowledge of the site and surrounding properties.

WHEREAS, this Town Board did rezone said premises Recreational by a resolution adopted December 31, 1987, and

WHEREAS, the Petitioners have secured a contract to purchase the development rights to eighteen (18) acres of

farmland on the north side of County road 105 and Petitioners have petitioned this Town Board for a special permit to transfer fifteen (15) development units to the site north of Sound Avenue and have stipulated to limit construction pursuant to this petition to thirteen (13) units in the two buildings previously approved, and

WHEREAS, this Town Board did hold a public hearing on said petition on February 2, 1988 and all persons interested in this matter were heard.

NOW, THEREFORE, pursuant to the provisions of Chapter 108 of the Conservation Law and all other applicable laws and rules this Town board does make the following findings:

FINDINGS

FIRST: The site is appropriate for the Recreational Use designation in that the site has more than five hundred (500) feet of frontage on Long Island Sound (Section 108-125(c)(1)).

SECOND: By stipulation with the owner One Hundred Twenty (120) may be permitted at the site (Section 108-126(A)) subject to the further conditions of this resolution and future resolutions of this Board.

THIRD: The Riverhead Water District has sufficient capacity to serve the additional units on the site.

FOURTH: The site is in Hydrological Zone IV of the 208 Study. As such groundwater conditions will permit two residential units to the acre with septic systems. Pursuant to Article 6 of the Sanitary Code the proposed units can be

constructed with septic systems. Such density and systems obviate the necessity of sewage treatment facilities.

FIFTH: The applicant has offered to dedicate the necessary acres on an eighty percent yield formula of off site farmland to farmland purposes. The proposed dedication parcels are consistent with the Suffolk County Farmlands Program. Acceptance of this offer will preserve farmland consistent with the Town Master Plan and the Suffolk county Farmland Program at no cost to the local or county taxpayers. The applicant has offered to either maintain the present assessed valuation on the offered farmland parcels or to transfer such assessed value to the subject site. This approach has been recommended for consideration by the Conservation Advisory Council.

SIXTH: The proposed site plan prepared by Holzmacher, McLendon and Murrell preserves the Sound Avenue Corridor as recommended by Raymond Parish Pine and Weiner (2/1/84) and an act of the State Legislature and results in a widening of Sound Avenue and public sump. Further, the application is consistent with the Sound Avenue Corridor study in that it provides for clustered units, has a density of two units to the acre with public water, preserves (off site) farmland and provides for buffering and landscaping.

SEVENTH: The proposed residential use will maximize real property tax revenues to the Town and the Riverhead School District while minimizing the impacts on services in that all interior roads are private, the number of school children anticipated is minimal, the demands of residents

for recreational services are satisfied on site and on site security is provided.

EIGHTH: The vehicular traffic anticipated by the proposed use can be accommodated by Pallane North, Warner Drive and Sound Avenue.

NINTH: The proposed use is consistent with the recommendations for development along coastal areas (A Plan for the Coastal Areas 1983) by maintaining a set back from the Sound shore bluff line, devoting the property to a recreational use, maintaining the Sound Avenue Corridor, clustering the units and preserving open spaces, establishing planted or natural buffers, preserving on site open space.

TENTH: The adverse environmental impacts caused by the proposed use are mitigated or outweighed by:

- (a) preservation of farmland;
- (b) cluster development;
- (c) preservation of the Sound Avenue Corridor;
- (d) buffering by set back;
- (e) sewerage in compliance with Article 6 of the Sanitary Code;
- (f) expansion of the real property tax base.

ELEVENTH: There is a need for the proposed type of recreational residential housing as an element of the overall Master Plan of Riverhead. This need is addressed by and the Master Plan is implemented in Article XXV of Chapter 108. There are a limited number of water front parcels where this use may be applied. The need can only be met by rezoning and special permitting when appropriate and prior to development of the parcels to other uses.

TWELFTH: The proposed use of the site is superior to

permitted or potential residential uses of the site in terms of real property tax revenues vs. tax burdens and traffic. Each alternative or permitted use would generate more school children, more vehicular trips per day, more demands for highway maintenance and police services and less real property tax revenues.

THIRTEENTH: The proposed use is consistent with the recommendations for development along coastal areas (A Plan for the Coastal Areas 1983) by maintaining a set back from the Sound shore bluff line, devoting the property to a recreational use, maintaining the Sound Avenue Corridor, clustering the units and preserving open spaces, establishing planted or natural buffers, preserving on site open space and creating new wetlands areas and ponds.

FOURTEENTH: The site plan by Land Design Associates satisfies the criteria of the Special Permit provisions of Chapter 108 subdivision (E)(4) in that the access from Sound Avenue is acceptable as limited and screened, adequate on site parking and drainage are shown, emergency access is provided, fire hydrants will be provided, the general layout is appropriate for the site and the required set backs and buffers are provided.

NOW, THEREFORE, this Town Board does make the following determinations:

DETERMINATIONS

FIRST: The granting of the Special Permit and use will not prevent or substantially impair either the reasonable

and orderly use of the reasonable and orderly development of other properties in the neighborhood.

SECOND: The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by the neighborhood and the town.

THIRD: The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by this special permit.

FOURTH: The special permitted use will be in harmony with and promote the general purposes and intent of Chapter 108.

NOW, THEREFORE BE IT

RESOLVED, that all other resolutions of this Board and the Planning Board heretofore made are incorporated herein by reference and shall remain in full force and effect, unless specifically modified or revoked by the further provisions of this resolution or subsequent resolutions, and be it

FURTHER RESOLVED, that the applicant may propose dedication of additional farmlands to the Suffolk County Farmland Preservation Program so as to increase the maximum allowable yield pursuant to the Recreational zoning to 120 units subject to further resolutions of this Town Board adopted pursuant to the special permit provisions and site plan provisions of the Riverhead Town Code, and be it

RESOLVED, that the applicant stipulates by acceptance of this resolution and construction hereunder of 120

residential condominium units subject to a further special permit of this Board and site plan review shall constitute the maximum allowable density for the 81+ acres, and be it further

FURTHER RESOLVED, that a special permit application of Henry Lee to construct and use 80 units of recreational residential condominiums together with amenities as generally shown on the site plan of H2M Corp. submitted at the public hearing on February 2, 1988 is granted subject to the following conditions:

1. The applicant shall submit detailed architectural elevations of all buildings and other structures, street lighting, storm water runoff and containment, which shall be subject of a future site plan resolution by the Town Board.

2. The applicant shall dedicate every and all right and title to the development of the parcels as described in the attached Exhibit A. It being the intent of this Town Board that the land described in the attached Exhibit A shall be used for agriculture only and be sterilized from the potential development of residential, commercial or industrial use and erection of any structure whatsoever. Notwithstanding the foregoing, trellis, fencing, paddocks and customary accessory agricultural structures may be erected upon the obtaining of building permits as necessary from the Riverhead building Department. The substance of the document to effectuate the foregoing shall be the subject of the continuing jurisdiction of the Town Board by resolution after review by the Town Attorney. Subject to the above, fee title shall remain with the applicant, the fee owner (Marvin Warner) or their successors.

3. The special permitted use is limited to 80 condominium units, 4 tennis courts, etc. as presented by the applicant and depicted on his site plan.

4. The applicant shall cause such covenants as may be required to carry out the intent of this resolution and to comply with the further applicable provisions of the Riverhead Town Code to be executed and recorded.

5. The applicant shall execute a payment in-lieu of taxes agreement in recordable form or like document wherein he agrees to maintain the current assessed valuation on the off-site farmlands by attaching the developmental values for said off-site farmlands onto the Sound Avenue parcel. Said agreement shall run with the land on the Sound Avenue parcel and shall bind subsequent owners thereof including the condominium to make the payments provided therein.

6. No access to the beach shall be provided until such time as a permit shall be issued by the New York State Department of Environmental Conservation and the Riverhead Conservation Advisory Council and a site plan by the Riverhead Town Board showing such access shall be approved.

7. The approval by the Health Department of the County of Suffolk and subject to the preparation by the applicant of a condominium map in a form in accord with the regulations of the Suffolk County Planning Commission and Riverhead Town Planning Board and the approval upon recommendation of the Suffolk County Planning Commission by the Riverhead Planning Board.

and, be it further

RESOLVED, that no units shall be sold, except upon a prospectus for a condominium offering as shall be previously authorized for distribution by the Attorney General of the State of New York, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for the applicants, the Planning Board and the Riverhead Building Department.

PARCEL I

All those certain lots, pieces or parcels of land, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a monument on the northerly side of Sound Avenue, where same is intersected by the easterly side of premises herein described and land now or formerly of Friars Head Farm, Inc.;

Running thence along the northerly side of Sound Avenue the following three (3) courses and distances:

- 1) North 89 degrees 53 minutes 20 seconds West 213.24 feet;
- 2) North 73 degrees 19 minutes 20 seconds West 143.95 feet;
- 3) North 60 degrees 41 minutes 20 seconds West 178.42 feet to land or formerly of Otto DePriest;

Thence along said last mentioned land the following two (2) courses and distances:

- 1) North 19 degrees 43 minutes 10 seconds West 294.38 feet;
- 2) North 21 degrees 20 minutes 10 seconds West 4889.19 feet to a tie line and the waters of Long Island Sound;

Thence North 88 degrees 23 minutes 50 seconds East along said tie line 448.76 feet to land now or formerly of Friars Head Farm, Inc.;

Thence along said last mentioned land the following four (4) courses and distances:

- 1) South 21 degrees 05 minutes 30 seconds East 2245.93 feet to a monument;
- 2) South 21 degrees 12 minutes 00 seconds East 1714.68 feet;
- 3) South 21 degrees 43 minutes 20 seconds East 1022.66 feet;
- 4) South 21 degrees 30 minutes 10 seconds East 353.23 feet to a monument and the northerly side of Sound Avenue to the point of place of BEGINNING.

PARCEL II

All those certain plots, pieces or parcels of land, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at the northwesterly corner of land about to be described where the easterly line of land now or formerly of Eugene G. Warner strikes the highwater mark of Long Island Sound;

Running thence South 20 degrees 45 minutes 10 seconds East along the land now or formerly of said Eugene G. Warner 1797.53 feet to a stone monument and land now or formerly of J. Howell Benjamin;

Thence along the land now or formerly of said J. Howell Benjamin, the following courses and distances:

North 72 degrees 14 minutes 50 seconds East 227 feet;

Thence South 23 degrees 45 minutes 10 seconds East 157 feet;

Thence North 81 degrees 24 minutes 50 seconds East 168 feet;

Thence South 23 degrees 45 minutes 10 seconds East 90 feet;

Thence North 89 degrees 14 minutes 50 seconds East 396.53 feet to a stone monument in a certain right of way and the land now or formerly of William M. Young;

Thence North 21 degrees 20 minutes 10 seconds West along land now or formerly of said William M. Young 1964.53 feet to Long Island Sound;

Thence along the said Sound South 88 degrees 23 minutes 50 seconds West 800.73 feet to the point or place of BEGINNING.

Parcel I and Parcel II above described are contiguous.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

115 ACCEPTS BOND OF BAYWOOD ESTATES, INC. (MANORS AT BAITING HOLLOW - SECTION II)

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike:

WHEREAS, the Riverhead Planning Board, by resolution dated January 26, 1988, approved the subdivision map of the Manors at Baiting Hollow, Section II, subject to the posting of a bond in the amount of \$286,000.00 covering the costs of improvements required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the performance bond of Baywood Estates, Inc., assuring the completion of the improvements in the subdivision known as "Map of the Manors at Baiting Hollow, Section II", covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for Baywood Estates, Inc., and the Riverhead Planning Board.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

116 AUTHORIZES SUPERVISOR TO EXECUTE STOP CONTRACT

Councilman Lombardi offered the following resolution, which was seconded by Councilman Denise:

WHEREAS, the Town of Riverhead wishes to institute a STOP program at the Riverhead Landfill in order to provide the residents of Riverhead with an opportunity to discard household hazardous materials; and

WHEREAS, the STOP program has been scheduled for May 14, 1988.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with Chemical Pollution Control, Inc., to collect and remove household hazardous waste materials; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to place a display ad in the May 5, 1988 and May 12, 1988, issues of the **Riverhead News-Review**; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chemical Pollution Control, Inc., the Riverhead Landfill and the Conservation Advisory Council.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

2/23/88

117 Authorizes Assistant Recreation Superintendent to attend N.Y.S. Recreation & Parks Convention and Exhibition.

Councilman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the 1988 New York State Recreation and Parks Convention and Exhibition shall be held in Monticello, New York from April 17 to April 20, 1988 and

WHEREAS, it is the recommendation of the Superintendent of Recreation that a member of his staff attend said Convention and Exhibition.

NOW, THEREFORE, BE IT RESOLVED, that Jane van den Thoorn, Assistant Superintendent of Recreation, is hereby authorized to attend the 1988 New York State Recreation and Parks Convention and Exhibition from April 17 to April 20, 1988 at Kutsher's Country Club, Monticello, New York 12701, and

BE IT FURTHER RESOLVED, that Jane van den Thoorn, be and is hereby authorized to receive an advance in the amount of \$400.00 to cover necessary fees and expenses, and

BE IT FURTHER RESOLVED, that all expenses shall be fully receipted upon the return of Jane van den Thoorn.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#118 APPROVES SITE PLAN OF CAMILLE NABER (TRUFFLES RESTAURANT)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, a site plan and elevations were submitted by Camille Naber for alteration to an existing building located at King Kullen Plaza, Route 25A, Wading River, New York; and

WHEREAS, the Planning Department has reviewed the elevations dated January, 1988, as prepared by Steven L. Maresca, Consulting Engineer, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the elevations submitted by Camille Naber, for the alteration to an existing building, located at King Kullen Plaza, Route 25A, Wading River, New York, dated January, 1988, as prepared by Steven L. Maresca, Consulting Engineer, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways and no additional lighted signs shall be installed or permitted on the facade or in the windows of the restaurant;

5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Serota & Sons hereby authorizes the Town of Riverhead to enter premises at King Kullen Plaza, Route 25A, Wading River, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Camille Naber, the Riverhead Planning Department and the Riverhead Building Department.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of February, 1988, made by Serota & Sons, a partnership with offices at 70 East Sunrise Highway, Suite 610, Valley Stream, New York, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

SEROTA & SONS

By: _____

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of February, 1988, before me personally came _____, to me known and known to be the individual who executed the foregoing instrument; that he is the owner of certain real property located at King Kullen Plaza, Route 25A, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

119 APPROVES SITE PLAN OF BRUCE TESTA (WADING RIVER POST OFFICE)

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, a site plan and elevations were submitted by Bruce Testa (Wading River Post Office) for alteration to existing roof (install gable roof) located at North Country Road, Wading River, New York; and

WHEREAS, the Planning Department has reviewed the elevations dated December 18, 1987, as prepared by George Michos, L.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the elevations submitted by Bruce Testa (Wading River Post Office), for the alteration to existing roof (install gable roof), located at North Country Road, Wading River, New York, dated December 18, 1987, as prepared by George Michos, L.E., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of February, 1988, made by Bruce Testa, residing at 31 Valentine Road, Shoreham, New York, 11786, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

BRUCE TESTA

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of February, 1988, before me personally came Bruce Testa, to me known and known to be the individual who executed the foregoing instrument; that he is the owner of certain real property located at North Country Road, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereuopn duly declared adopted.

TOWN OF RIVERHEAD

RESOLUTION #120

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR A
2TE4 FOUR-WHEEL SELF-PROPELLED PICKUP STREET SWEEPER-
FOR RIVERHEAD TOWN HIGHWAY DEPARTMENT

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Lombardi.

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND
IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF A
2TE4 FOUR-WHEEL SELF-PROPELLED PICKUP STREET SWEEPER FOR THE USE OF THE
TOWN OF RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT

RESOLVED, THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE PRE-
PARED BY THE SUPERINTENDENT OF HIGHWAYS, AND BIDS TO BE RETURNABLE UP TO
11:00 A.M. ON MARCH 7, 1988, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND
IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON MARCH 7, 1988
AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, TOWN HALL, 200 HOWELL AVENUE,
RIVERHEAD, NEW YORK, ALL SEALED BIDS BEARING THE DESIGNATION, "BID ON 2TE4
FOUR-WHEEL SELF-PROPELLED PICKUP STREET SWEEPER".

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

NOTICE TO BIDDERS

Sealed bids for the purchase of ZTE4 FOUR-WHEEL SELF-PROPELLED PICKUP STREET SWEEPER
for use by the Riverhead Highway Department will be received by the Town Clerk of
the Town of Riverhead at Town Hall, 200 Howell Ave., Riverhead, New York 11901
until 11:00 A.M. on MARCH 7, 1988.

Instructions for bidders, specifications, and bid forms may be obtained at
the office of the Superintendent of Highways, Osborn Avenue, Riverhead, N.Y.
between the hours of 8:30 A.M. and 4:30 P.M..

All bids will be submitted on the bid form provided. Any and all exceptions
to the specifications will be listed on a separate sheet bearing the designation
"Exceptions to the Specifications", and attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all
bids or to waive any formalities if it believes such action to be in the best
interests of the Town.

All bids will be submitted in a sealed envelope bearing the designation
"BID ON ZTE4 FOUR-WHEEL SELF-PROPELLED PICKUP STREET SWEEPER".

DATE: FEB. 25, 1988

By Order of the Town Board
of the Town of Riverhead, N.Y.
Irene J. Pendzick, Town Clerk

TOWN OF RIVERHEAD

RESOLUTION # 121

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR A
BUCKET TRUCK - STREET LIGHTING DISTRICT

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti.

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND
IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF A
BUCKET TRUCK FOR THE USE OF THE TOWN OF RIVERHEAD STREET LIGHTING DISTRICT,
AND BE IT

RESOLVED, THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE PRE-
PARED BY THE SUPERINTENDENT OF HIGHWAYS, AND BIDS TO BE RETURNABLE UP TO
11:00 A.M. ON MARCH 7, 1988, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND
IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON MARCH 7, 1988 AT
11:00 A.M. AT THE TOWN CLERK'S OFFICE, TOWN HALL, 200 HOWELL AVENUE,
RIVERHEAD, NEW YORK, ALL SEALED BIDS BEARING THE DESIGNATION, "BID ON
BUCKET TRUCK - STREET LIGHTING DISTRICT".

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
RESOLUTION # 122
AWARDS TRAFFIC SIGN BID

122 AWARDS BID-TRAFFIC SIGNS

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti.

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS
ON TRAFFIC SIGNS, FOR USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 1ST. OF FEBRUARY, ALL BIDS WERE RECEIVED,
OPENED AND READ ALOUD, AND

WHEREAS, FOUR BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE
LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM ## 2

_____, OF THE TRAFFIC SIGN BID BE AND
IS HEREBY AWARDED TO F.J. McGOVERN SUPPLY CO., 90B KNICKERBOCKER AVENUE,
BOHEMIA, N.Y. 11716, AS INDICATED ON PAGE 3 OF THIS AWARD.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
RESOLUTION # 123
AWARDS TRAFFIC SIGN BID

123 AWARDS BID-TRAFFIC SIGNS

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti.

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS
ON TRAFFIC SIGNS, FOR USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 1ST. OF FEBRUARY, ALL BIDS WERE RECEIVED,
OPENED AND READ ALOUD, AND

WHEREAS, FOUR BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE
LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #S 1,3,4,5,6,7,8,9,10,11,12,13
14,15,16,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,34,35,37,38,39,40,
42,44 & 47, OF THE TRAFFIC SIGN BID BE AND IS HEREBY AWARDED TO CAPITOL
HIGHWAY MATERIALS, P.O. BOX 216, ROUTE 6, BLADWIN PLACE, N.Y. 10505, AS
INDICATED ON PAGES 3,4 & 5 OF THIS AWARD.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
RESOLUTION # 124
AWARDS TRAFFIC SIGN BID

124 AWARDS BID-TRAFFIC SIGNS

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti .

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS
ON TRAFFIC SIGNS, FOR USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 1ST. OF FEBRUARY, ALL BIDS WERE RECEIVED,
OPENED AND READ ALOUD, AND

WHEREAS, FOUR BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE
LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #S 17, 36, 45, 46
_____, OF THE TRAFFIC SIGN BID BE AND
IS HEREBY AWARDED TO CHEMUNG SUPPLY CORP.P.O. BOX 527, ELMIRA, N.Y.
14902, AS INDICATED ON PAGE 3 OF THIS AWARD.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
RESOLUTION #125
AWARDS TRAFFIC SIGN BID

125 AWARDS BID-TRAFFIC SIGNS

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti .

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON TRAFFIC SIGNS, FOR USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 1ST. OF FEBRUARY, ALL BIDS WERE RECEIVED,
OPENED AND READ ALOUD, AND

WHEREAS, FOUR BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE
LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #S 33, 41, 43
_____, OF THE TRAFFIC SIGN BID BE AND
IS HEREBY AWARDED TO TRAFICO, INC., 209 EAST ERIE STREET, BLAUVELT, N.Y.
10913, AS INDICATED ON PAGE 3 OF THIS AWARD.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

126 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 48-13 OF THE RIVERHEAD TOWN CODE (BEACHES AND RECREATION CENTERS)

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding amendment to Section 48-13 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 2nd day of February, 1988, at 8:10, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that amendment to Section 48-13 of the Riverhead Town Code be and is hereby adopted as follows:

Section 48-13. Parking and parking permits.

B. (1) Resident parking permit.

- (c) Resident parking permits for motor vehicles shall be permanently affixed and prominently displayed on the vehicle for which it was issued by being affixed on the left-hand side of the front bumper.

(2) Nonresident parking permit.

- (b) The fee for the issuance of a nonresident parking permit shall be ~~one hundred dollars (\$100.)~~ fifty dollars (\$50.00) annually or ~~ten dollars (\$10.)~~ five dollars (\$5.) daily.

Delete Section 48-13C in its entirety and replace with the following:

C. Hotel-motel parking permits.

- (1) Hotel-motel parking permits shall be issued by the Riverhead Recreation Department to the owners or their designated managers of hotels, motels, rooming or boarding houses ~~and trailer parks~~ for use by the paying guests temporarily residing within. ~~Persons applying for a hotel-motel parking permit shall present to the Riverhead Recreation Department.~~

- (a) For purposes of this section, "motel" shall include any parcel of land on which two (2) or more dwelling units are situated, which

dwelling units are rented or leased by the owner thereof for periods not to exceed six (6) months.

(2) Applications for hotel-motel parking permits shall include:

(a) The number of rental units available at the applicant's premises.

(b) The number of permits applied for.

(c) The designated business or trade name, if any, of the premises for which the permits are requested.

(3) Upon a determination by the Riverhead Recreation Department that the applicant is entitled to such permits and upon payment of the required permit fee, permits shall be issued; provided, however, that the number of permits issued shall not exceed the number of rental units available at the premises applied for. Such permits shall be inscribed with the name of the applicant or the designated business name of the applicant's premises and shall be used only by paying guests occupying the premises for which such permits are issued.

(4) Hotel-motel parking permits shall be transferable and shall be issued in a clear plastic case and designed to be affixed temporarily to the interior right-hand windshield or right-hand front-door window of the vehicle. The owner or manager to whom such permits are issued shall make no charge for the use of such permits by such guests but may require a deposit, not to exceed five dollars (\$5.) to ensure the return of a permit.

(5) The fee for the issuance of a hotel-motel parking permit shall be ten dollars (\$10.) per room or permit annually.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Recreation Department and the Riverhead Police Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

127 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 101.11.1 OF
THE RIVERHEAD TOWN CODE (NO PARKING, CERTAIN HOURS; PARK-
ING FIELDS)

Councilman Lombardi offered the following
resolution, which was seconded by Councilman Civiletti:

WHEREAS, the Town Clerk was authorized to publish and
post a public notice to hear all interested persons regarding
amendment to Section 101.11.1 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 2nd day of
February, 1988, at 7:55 o'clock p.m. at Town Hall, 200 Howell
Avenue, Riverhead, New York, the date, time and place specified
in said public notice, and all persons wishing to be heard were
heard.

NOW, THEREFORE, BE IT

RESOLVED, that amendment to Section 101.11.1 of the
Riverhead Town Code by making the changes in the line striping at
the Peconic Riverfront Parking Area as described in the annexed
SCHEDULE "A" be and is hereby adopted; and be it further

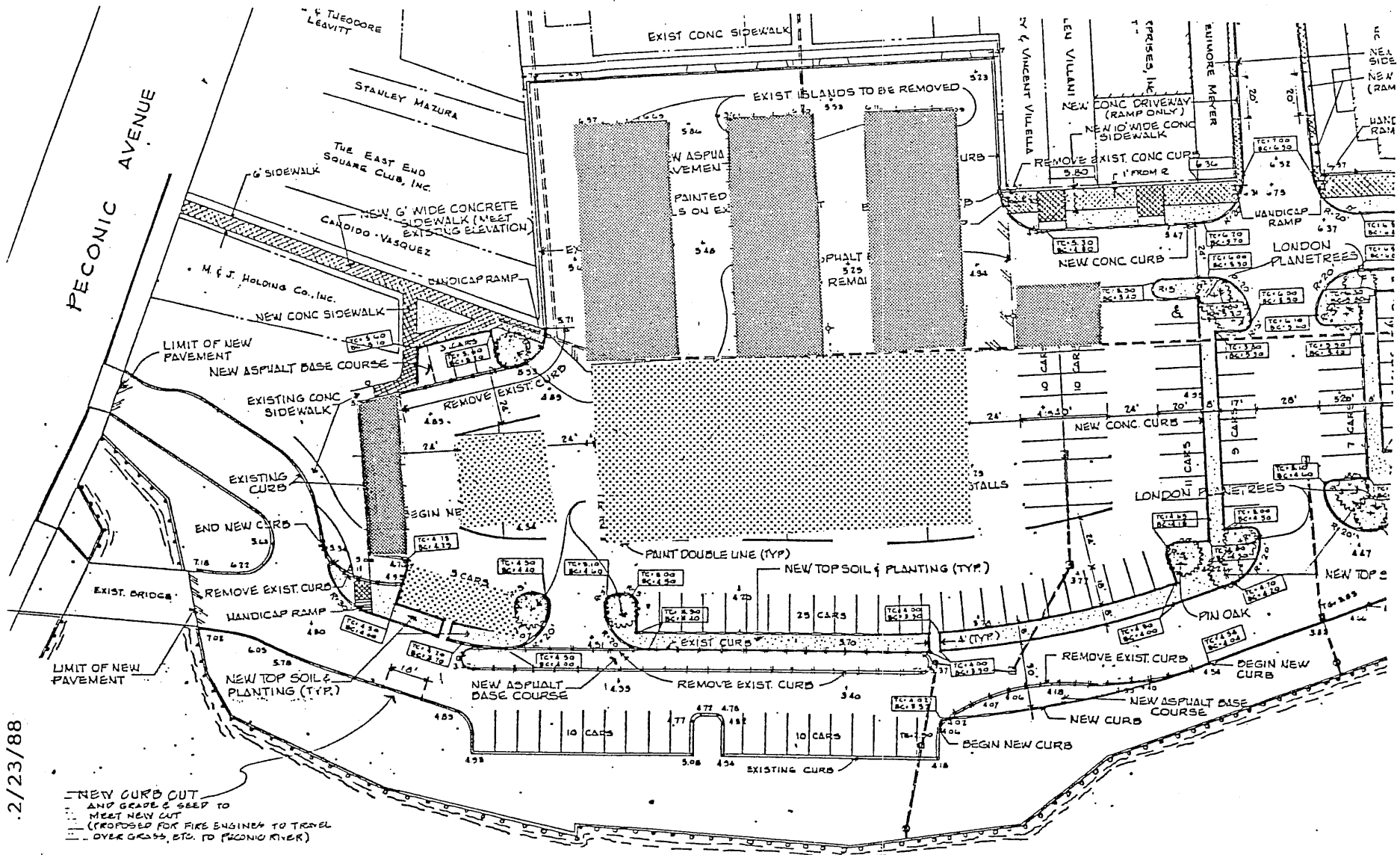
RESOLVED, that the Town Clerk be and is hereby author-
ized to publish a copy of this resolution once in the Riverhead
News-Review and to post same on the signboard at Town Hall; and
be it further

RESOLVED, that the Town Clerk be and is hereby author-
ized to forward a certified copy of this resolution to Riverhead
Police Department and Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

SCHEDULE "A"



2/23/88

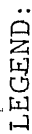
NEW CURB OUT AND GRADE & SEED TO MEET NEW CUT (PROPOSED FOR FIRE ENGINE TO TRAVEL OVER GRASS, ETC. TO PECONIC RIVER)

LEGEND:

White striped area

PECO RIVER

PECONIC
AVENUE



the striped area

REVIEW

128 AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST PUBLIC NOTICE
RE: AMENDMENT TO ARTICLE II OF CHAPTER 103 OF THE
RIVERHEAD TOWN CODE

Councilman Civiletti offered the following resolution, which was seconded by Councilman Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a public notice regarding an amendment to Article II of Chapter 103 of the Riverhead Town Code, which public notice scheduled a public hearing to be held on the 2nd day of February, 1988, at 8:20 o'clock p.m. to hear all interested persons with regarding to amending said article of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard; and

WHEREAS, as a result of said public hearing, certain amendments to the original notice, as published, were made.

NOW, THEREFOR, BE IT

RESOLVED, that because the amendments to Article II of Chapter 103 varied drastically from the original publication and posting as authorized by resolution #62 adopted January 19, 1988, the Town Clerk be and is hereby authorized to republish and repost the public notice with regard to the amendment to Article II of Chapter 103 of the Riverhead Town Code as follows:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of March, 1988, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amendment to Article II of Chapter 103 of the Riverhead Town Code as follows:

**ARTICLE II
Landfill Fees**

Section 103-10. Vehicle sticker license fees.

All vehicles entering the town landfill must display a landfill sticker as required herein permanently affixed to the ~~right~~ left side of the front bumper.

- A. Stickers will be issued by the Town Clerk after payment of the following license fees for each vehicle and an affidavit signed by the owner of the vehicle stating the intended use of said vehicle:

(1) Residential vehicles:

~~1-~~ (a) Passenger vehicles, including but not limited to cars, station wagons and noncommercial vans of one (1) ton's capacity or less: no charge.

~~2-~~ (b) Pickup trucks and commercial vans of one (1) ton's capacity or less: no charge.

(c) Trailers: no charge.

(2) Commercial vehicles:

(a) Any vehicle used for commercial purposes: fifteen dollars (\$15.).

(3) Garbage hauler: one hundred dollars (\$100.) per year.

~~(4) Other vehicles: fifteen dollars (\$15.) per year.~~

(4) Trailers: no charge.

B. ~~All license~~ The above fees are annual, effective from January 1 to December 31, without proration.

Section 103-11. Usage fees.

All vehicles entering the town landfill shall present to the gate attendant coupons as prescribed herein:

1. Residential vehicles

~~A-~~ (a) Passenger vehicles, including but not limited to cars, station wagons and noncommercial vans: fifty cents (\$0.50) per visit.

~~B-~~ (b) Pickup trucks and commercial vans of one (1) ton's capacity or less: one dollar (\$1.) per visit.

(c) Trailers: one dollar (\$1.) per visit.

2. Commercial vehicles:

(a) Any vehicle of one (1) ton's capacity or less used for commercial purposes: two dollars and fifty cents (\$2.50) per visit cubic yard per visit.

(b) Pickup trucks and commercial vans of one (1) ton's capacity or less used for commercial purposes: two dollars and fifty cents (\$2.50) per cubic yard.

~~C-~~ (c) Garbage haulers: two dollars and fifty cents (\$2.50) per cubic yard capacity.

D-(d) ~~Other vehicles~~ Any vehicle of one (1) ton's capacity or more used for commercial purposes as determined by the amount of material carried: two dollars (\$2.00) two dollars and fifty cents (\$2.50) per cubic yard (minimum charge for three (3) years one (1) year). [Amended 1-13-87]

(e) Trailers: two dollars and fifty cents (\$2.50) per cubic yard.

E-(f) Tires, six (6) or more:

(i) Pickup trucks, vans, carryalls and tow trailers: twenty-five dollars (\$25.) per visit.

(ii) Single rear axle: fifty dollars (\$50.) per visit.

(iii) Dual rear axle: seventy-five dollars (\$75.) per visit.

(iv) Tractor trailer: one hundred dollars (\$100.) per visit.

Section 103-12. Yearly passes.

The usage fee prescribed by the preceding section shall not apply where a yearly pass is displayed on the left front bumper of the vehicle. Fees for yearly passes for residential use vehicles shall be:

A. Passenger vehicles, including but not limited to cars, station wagons, and noncommercial vans: twenty-five dollars (\$25.) from January 1 to December 31 or twelve dollars and fifty cents (\$12.50) from July 1 to December 31.

B. Pickup trucks and commercial vans of one (1) ton's capacity or less used for residential purposes: fifty dollars (\$50.) from January 1 to December 31 or twenty-five dollars (\$25.) from July 1 to December 31.

Section 103-13. Current fees.

Effective immediately, the fees provided by Chapter 103 of the Riverhead Town Code, prior to adoption of Local Law No. 3-84¹, shall be carried forward and shall remain in full force and effect until February 1, 1985. However, no renewals of such fees shall be charged.

¹ Editor's note: See Section 103-5B.

Section 103-14. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

GARBAGE HAULER - Commercial vehicles used primarily for the transportation of household, business or industrial solid waste.

TOWN LANDFILL COUPONS - Coupons issued by the Town Clerk in denominations of fifty cents (\$0.50), one dollar (\$1.00) two dollars and fifty-cents (\$2.50) and for one-cubic-yard and five-cubic-yard denominations.

RESIDENTIAL VEHICLE: Non-commercial vehicles used for the transportation of household solid waste.

COMMERCIAL VEHICLE: Every motor vehicle used or maintained for transportation of solid waste generated in the operation of a business or trade.

TRAILER: Any vehicle not propelled by its own power which is drawn by a motor vehicle.

Section 103-14. Penalties for offences.

Any person, firm or corporation violating any provision of this section shall result in the revocation of any and all permit(s) issued to said person, firm or corporation.

Dated: Riverhead, New York
February 23, 1988.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

129 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING RE: EXTENSION OF PUBLIC PARKING
DISTRICT TO INCLUDE PROPERTIES OF HALLOCK LUCE, III

Councilperson Boschetti offered the following
resolution, which was seconded by Councilperson Pike.

WHEREAS, a petition has been filed by Hallock Luce, III in proper form requesting his property located in the Town of Riverhead at Second Street be included in the Riverhead Parking District No. 1, and

WHEREAS, the Town Board of the Town of Riverhead is the governing body of the Riverhead Parking District, and

WHEREAS, pursuant to Town Law it is appropriate that a public hearing be held on the petition submitted.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Riverhead acting as the governing body of the Riverhead Parking District hold a public hearing to hear all persons wishing to be heard on the extension of the Riverhead Parking District to include properties of Hallock Luce, III more particularly described in the attached Exhibit "A".

Public Notice

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of March, 1988 at 7:55 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all persons wishing to be heard on the extension of the Riverhead Parking District to include properties of Hallock Luce, III more particularly described in the attached Exhibit "A".

BY ORDER OF THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

Dated: February 23, 1988
Riverhead, New York

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Exhibit "A"

All that parcel of land located at Riverhead, Suffolk County, New York, more particularly described as follows:

BEGINNING at a monument set in the southerly side of East Second Street at the northeast corner of lands of Lizette Hand, which monument is also located on a course of N. 82° 30' 00" E. 183.50 feet from the intersection of the southerly side of said East Second Street and the easterly side of Roanoke Avenue; thence from said point of beginning, N. 82° 30' 00" E. along the southerly side of East Second Street 76.00 feet to a monument; thence S. 7° 30' 00" E. along lands now or formerly of Morton Hocheiser 125.00 feet to a monument; thence S. 82° 44' 30" W. along lands mostly of Riverhead Public Parking District No. 1 and partially of Burke and Clifford and through two monuments 71.49 feet to a monument at the southeast corner of Hand; thence N. 6° 35' 00" W. along lands of Lizette Hand 124.68 feet to the point of beginning.

130 RESOLUTION ORDERING PUBLIC HEARING FOR EXTENSION NO. 42
(ROANOKE AVE.)

Councilman Boschetti offered the following resolution,
which was seconded by Councilman Pike.

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Riverhead, Suffolk County, New York, relating to the establishment of a proposed extension to Riverhead Water District in said Town, such extension to be known as Extension No. 42 - Roanoke Avenue to Riverhead Water District of the Town of Riverhead; and

WHEREAS, said map, plan and report dated December, 1987 were prepared by Holzmacher, McLendon and Murrell, P.C., competent engineers, duly licensed by the State of New York, and have been filed in the Office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, said Extension No. 42 - Roanoke Avenue shall be bounded and described as set forth in Appendix A attached hereto and made part hereof; and

WHEREAS, the improvements proposed for such Water District will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be acquired and installed in such Extension of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District; and

WHEREAS, said improvements consist of the acquisition and installation of 3,900 feet of water mains ranging from 6 inches to 12 inches in diameter, together with valves, hydrants and necessary appurtenances, as more fully described in the aforesaid map, plan and report; and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$128,000.00 which amount shall be allocated and charged to the developer of the major subdivision currently pending final approval of the Riverhead Planning Board known as Roanoke Pines; and

WHEREAS, the Engineer has established that the cost of off-site improvements consisting of approximately 2,000 feet of 12" water main and appurtenances is \$77,000 of which \$15,000 is of a benefit to the district as a whole which will be considered as a

diminution in \$2,500.00 per lot key money charge; and

WHEREAS, it is now desired to call a public hearing upon the question of establishment of said Extension NO. 42 - Roanoke Avenue to the Riverhead Water District of the Town of Riverhead in the manner aforesaid pursuant to Section 209-d of the Town Law.

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, shall be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on March 15, 1988 at 8:00 o'clock p.m., prevailing time, for the purpose of holding a public hearing to consider the establishment of a proposed extension to Riverhead Water District of said Town as described in the preambles hereof, to be known as Extension No. 42 - Roanoke Avenue to Riverhead Water District of the Town of Riverhead, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Riverhead News Review, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Irene J. Pendzick, Town Clerk

Dated: February 23, 1988
Riverhead, NY

EXHIBIT A

RIVERHEAD WATER DISTRICT
DESCRIPTION OF EXTENSION NO. 42
(ROANOKE PINES)

BEGINNING at a point on the existing boundary of the Riverhead Water District west of Roanoke Avenue and north of Joyce Lane;

Running thence westerly to a point 500 feet west of Roanoke Avenue to a point;

Thence northerly along a line that is parallel to and 500 feet west of Roanoke Avenue through Section 82, Block 1, lots 12 and 11.3 to the southerly boundary of Section 82, Block 1, lot 11.4 (which is proposed lot of Roanoke Pines subdivision);

Thence westerly, northerly and easterly along the south, west and north lines of lot 11.4 to the west side of Roanoke Avenue;

Thence southerly along the west side of Roanoke Avenue to a point 20 feet north of the south line of lot 11.4;

Thence easterly across and perpendicular to Roanoke Avenue and extended easterly through Section 64, Block 1, lot 7.1 to the easterly line of lot 7.1;

Thence southerly along the easterly line of lot 7.1 to the existing boundary of the Riverhead Water District on the northwest corner of Section 82, Block 2, lot 4.7.

Thence westerly, southerly and westerly along the existing Riverhead Water District boundary to the point of BEGINNING.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

131 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING RE: AMENDMENT TO SECTION 108-3(A)(3)
OF THE RIVERHEAD TOWN CODE.

Councilperson Lombardi offered the following
 resolution which was seconded by Councilperson Civiletti.

RESOLVED, that the Town Clerk be and is hereby authorized to
 publish and post a public notice regarding an amendment to
 Section 108-3(A)(3), Special Permits, to the Riverhead Town Code.

TOWN OF RIVERHEAD
 PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on
 the 15th day of March, 1988 at 8:10 o'clock p.m. at the Riverhead
 Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all
 interested persons with regard to amending Section 108-3(A)(3) of
 the Riverhead Town Code as follows:

108-3(A)

(3) A list of property owners based upon the most completed
 assessment role filed with Town of Riverhead within a radius of
 five hundred (500) feet of the subject property. This
 requirement may be waived by the Town Board where the special
 permit sought is for the construction of a single family
 dwelling. No person may object to any approval granted after
 such notice is served by the ~~Town Clerk~~ applicant or designated
representative pursuant to this section, unless an objection is
 received by the Town Clerk within thirty (30) days of the date of
 publication of the public notice calling the hearing alleging
 that they did not receive the notice provided for in this
 section. Also, an affidavit signed by the applicant or
designated representative attesting to serving of the public
notice as required by this section must be filed with the Town
Clerk prior to the holding of the public hearing.

* running line indicates deletion

* underscore indicates addition

BY ORDER OF THE TOWN BOARD
 OF THE TOWN OF RIVERHEAD
 Irene J. Pendzick, Town Clerk

Dated: February 23, 1988
 Riverhead, New York

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
 Lombardi, yes, Janoski, yes.

The resolution was thereuopn duly declared adopted.

132 AWARDS BID FOR PREMIUM DIESEL FUEL FOR HIGHWAY AND
SANITATION DEPARTMENTS

Councilman Civiletti offered the following resolution, which was seconded by Councilman Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for premium diesel fuel for Highway and Sanitation Departments; and

WHEREAS, bids were received and read aloud on the 3rd of February, 1988, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for premium diesel fuel for Highway and Sanitation Departments be and is hereby awarded to Agway Energy Products in the amount of \$.0320 per gallon; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Agway Energy Products and Riverhead Highway Department and Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

133 AWARDS BID FOR #2 FUEL OIL FOR HIGHWAY DEPARTMENT

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for #2 fuel oil for the Highway Department; and

WHEREAS, bids were received and read aloud on the 3rd of February, 1988, at 11:20 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for #2 fuel oil for the Highway Department be and is hereby awarded to Agway Energy Products in the amount of \$0.320 per gallon; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Agway Energy Products and Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

134 AWARDS BID FOR TIRES FOR SANITATION DEPARTMENT

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for tires for the Sanitation Department; and

WHEREAS, bids were received and read aloud on the 3rd of February, 1988, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of one (1) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for tires for the Sanitation Department be and is hereby awarded to Toce Brothers, Inc. in the amount of \$3,385.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Toce Brothers, Inc. and Riverhead Sanitation Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

135 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING RE: AMENDMENT TO SECTION 48-7(A) OF THE
RIVERHEAD TOWN CODE.

Councilperson Lombardi offered the following
resolution which was seconded by Councilperson Civiletti.

RESOLVED, that the Town Clerk be and is hereby authorized to
publish and post a Public Notice regarding an amendment to
Section 48-7(A), Application for Permit; fee, to the Riverhead
Town Code.

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the
15th day of March, 1988 at 8:20 o'clock p.m. at the Riverhead
Town Hall, 200 Howell Avenue, Riverhead, New York to hear all
interested persons with regard to amending Section 48-7(A) of the
Riverhead Town Code as follows:

48-7 Application for permit; fee.

(A) The Town Clerk Superintendent of Recreation is hereby
authorized to issue a permit for use or operation of a motor
vehicle on the beach to residents, tenants or taxpayers of the
Town of Riverhead, upon due annual application at no cost to such
persons. Said annual permit shall run from January 1 through
December 31 of each year(rest to remain the same)

*running line indicates deletion

*underscore indicates addition

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
Irene J. Pendzick, Town Clerk

Dated: February 23, 1988
Riverhead, New York

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

136 REFERS PROPOSAL TO CONSERVATION ADVISORY COUNCIL

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, a proposal to designate certain areas in the Town of Riverhead as "Critical Environmental Areas" was forwarded to the Riverhead Town Board; and

WHEREAS, the Conservation Advisory Council by memo dated February 8, 1988, has determined that the issue should be addressed.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby refers the proposal to designate certain areas in the Town of Riverhead as "Critical Environmental Areas" to the Conservation Advisory Council for its recommendations and comments; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and the said proposal to the Conservation Advisory Council.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

134 2/23/88

238

MEMORANDUM

TO: Riverhead Town Board
FROM: Councilman Robert D. Pike
DATE: February 10, 1988
RE: Critical Environmental Areas
COPY:

As you will recall from our last Tri-Board Meeting, a proposal to designate certain areas of the Town as Critical Environmental Areas was proposed by Sherry Johnson.

The CAC, by the attached memo, has agreed that the proposal is an important issue to address. I, therefore, at their request, present this proposal to the Riverhead Town Board and would request that a resolution formally referring the matter to the CAC for their comments be prepared for the February 23rd meeting of the Town Board.

If you have any questions or concerns, please feel free to contact me.

DISK:

Riverwork

2/23/88

239

Telephone: (516) 727-3200, Ext. 67



TOWN OF RIVERHEAD CONSERVATION ADVISORY COUNCIL
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

GEORGE BARTUNEK, Chairman
D KEMNITZER, Vice Chairman
HERRY A. JOHNSON, Secretary
EIL FENTON
ICHON GRIFFING

JOHN HEILBRUNN
WILLIAM KARLIN
KENNETH SCHNABEL
MICHAEL VELYS, JR.
JANE STROMSKI, Sr. Clerk

M E M O

TO: Councilman Robert Pike
FROM: George Bartunek
DATE: February 8, 1988
RE: Critical Environmental Areas

During our monthly meeting of January 27th, the CAC members agreed that your proposal to "designate certain areas in the Town of Riverhead as critical environmental areas" is an important issue to address. After you have presented this proposal to the Town Board, please have the document forwarded to the CAC so that we can formally make appropriate recommendations and comment to the Town Board.

IS
Attachment

Proposal to designate certain areas in the

Town of Riverhead

as

"Critical Environmental Areas"

Contents

Introduction

Intent

Descriptions and maps of areas to be designated

Photographs

Appendix A - Land Use Map from 1973 Master Plan

Appendix B - CEA enabling legislation

Appendix C - "Critical Environmental Area Designation"
by David Newton

Appendix D - Town Code, Chapter 107

Appendix E - "A Plan for the Coastal Areas", south shore

Appendix F - 1973 Master Plan, on wetlands

Appendix G - Marine wetlands from the 208 Water Study

Appendix H - documentation on the importance of wetlands

Appendix I - Introductory Resolution #1627, Suffolk County
Legislature

additional areas for consideration

Supplement IA - The Southwest Quadrant

Supplement IB - The North Shore Bluffs

References

Introduction

A "critical environmental area" (CEA), is a specific geographic area recognized as having exceptional or unique characteristics that make it important to the local community. The criteria for such areas, as described in Part 617 of SEQRA, is:

- a benefit or threat to human health
- a natural setting, fish or wildlife habitat, forest, vegetation, open space, areas of aesthetic importance and scenic quality
- social, cultural, historic, archaeological, recreation or educational values
- an inherent ecological, geological or hydrological sensitivity to change which may be adversely affected by any change

Once an area has been designated as a "CEA" any Unlisted action that is proposed in, or substantially contiguous to, the area must be treated as a Type I action by any involved agency. The "CEA" designation is a "sunshine" law for the environment. When an action is considered to be Type I under SEQRA, it is more likely to require thorough environmental review and a draft environmental impact statement. A list of 20 Type II actions including agricultural practices and uses, the construction of accessory structures and the extension of utilities to serve approved subdivisions and residences are exempted.

The Suffolk County legislature approved the designation of 76,000 acres as "critical to the environment" on June 23, 1987. The areas included in this action were the Central Pine Barrens Zone, Accabonac Harbor and Scallop Pond on the South Fork, the Oak Brush Plains and the South Setauket Woods. The Town of Brookhaven is considering adding its North Shore bluffs and additional sites along its rivers to the existing designated areas of the Carmens River and its South Shore.

Riverhead has yet to designate any critical areas within the Town. However, there has been an increase in development here. As a result, many projects have been proposed for locations adjacent to our creeks and wetlands. Unfortunately, many of these desirable areas, are also the most fragile. As more proposals are received, we must begin to look at the cumulative impacts more closely.

Wetlands, both freshwater and tidal, provide a multitude of benefits to the public. "Freshwater wetlands are invaluable resources for flood protection, wildlife habitat, open space and water resources". Our tidal wetlands are spawning and

feeding grounds for waterfowl and fish. They serve as "nurseries" for newly-hatched marine life. Wetlands are invaluable and often irreplaceable, they should be managed carefully.

Intent

To designate certain areas within the Town of Riverhead as "critical environmental areas" pursuant to the State Environmental Quality Review Act, Part 617.4 (h), by amending the Town Code to designate the following areas, from the "outer limits of wetland vegetation", as "Critical Environmental Areas". (see 1a. following page)

The "CEA" designation does not place additional controls or land use restrictions on the areas designated. It allows public involvement and environmental review under existing SEQRA regulations.

The areas to be considered for designation are:

1. Meetinghouse Creek
2. Reeves Creek
3. Cases Creek
4. East Creek
5. Saw Mill River and Creek
6. Union Avenue wetlands
7. Terry's Creek
8. wetlands west of Kroemer Avenue
9. wetlands at Iron Pier Beach
10. Hallock's Pond
11. Wading River Marsh
12. marsh at Baiting Hollow

Also offered for consideration are:

the Southwest Quadrant

the North Shore Bluffs

The Land Use Map for the 1973 Master Plan (see Appendix A) designated most of these areas, including 500 feet from the Long Island Sound, as "Environmental Protection Areas".

Findings in connection with the above described areas include:

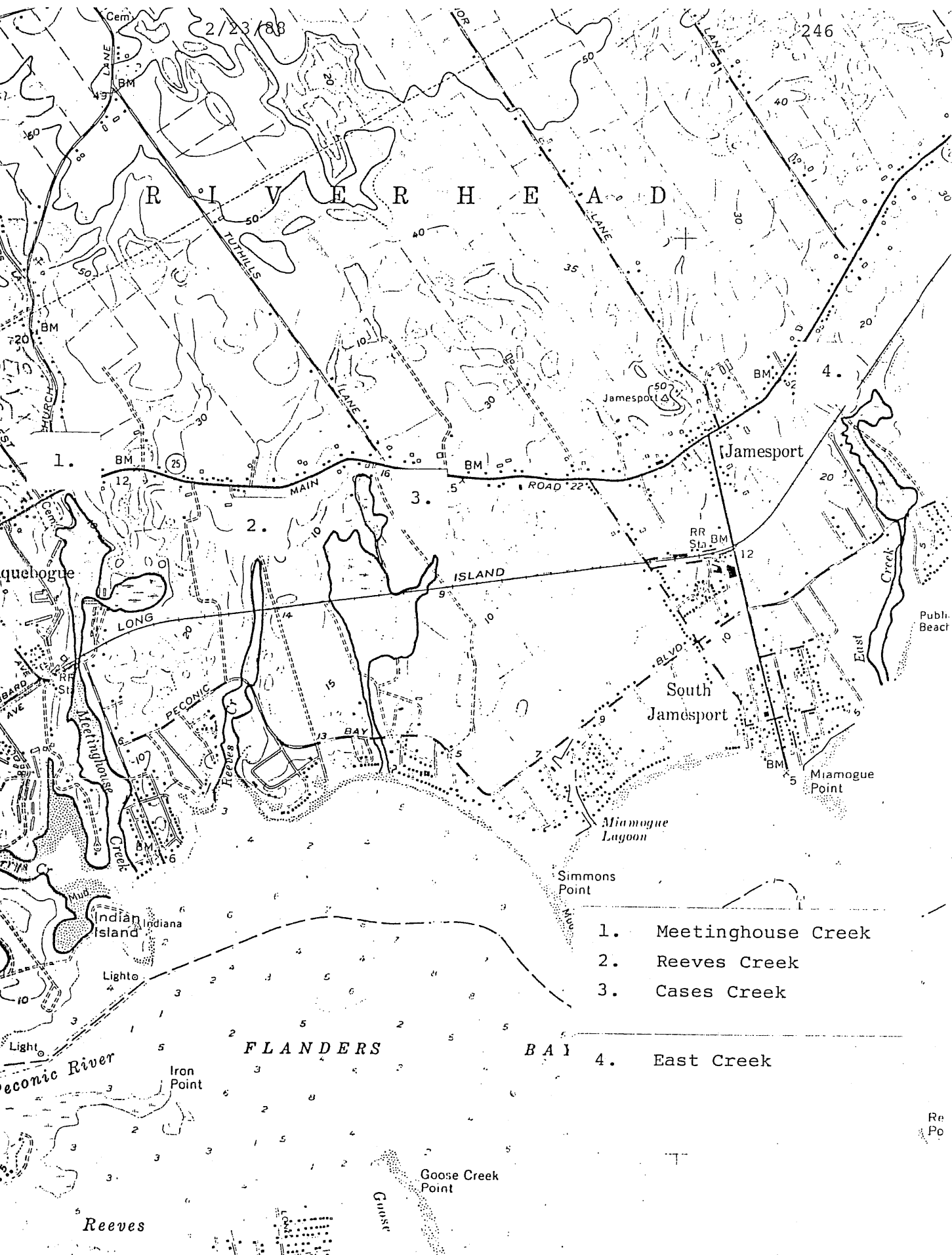
- A. that the preservation of these lands will benefit the public health
- B. that these lands are a significant factor in the perpetuation or proliferation of wildlife, marine-life, plant communities, open space, scenic value, purity of groundwater and surface water
- C. that these lands are an important part of the Town's natural heritage

- D. that these lands share inherent ecological and hydrological sensitivity to change which could be adversely affected by any change in the natural characteristics and integrity of the vegetation and water quality
- E. that these lands may harbor or contain habitat for endangered, threatened or special concern species as identified by Federal or New York State authorities and/or rare species or rare plant communities identified by the New York Natural Heritage program
- F. that wetlands provide the following benefits, flood water retention, erosion control, pollution control and have recreational value
- G. that development of these lands might adversely affect the public drinking water supply

1a. The "CEA" designation boundary could be:

- I. 100 feet from the outer limit of the wetland vegetation for freshwater wetlands
- II. 300 feet from the outer limit of the wetland vegetation for tidal wetlands

Those figures represent the area under DEC jurisdiction.



Bay Creeks

Meetinghouse Creek

This is the widest of our bay creeks, and as a result the most intensely used for recreational boating. This creek contains extensive tidal wetlands. An operating duck farm exists adjacent to the marsh area. Any change in use here in the future should be carefully reviewed.

Reeves Creek

Next in line, this creek is still somewhat undeveloped. It is surrounded by land that is used for agricultural purposes. A recent visit to the site resulted in sightings of a Great Blue Heron, black ducks, a family of mute Swans and Snowy Egrets.

Cases Creek

A large salt marsh makes up much of the wetland area of this creek. It is valuable as a wildlife habitat and as a spawning ground for finfish and shellfish.

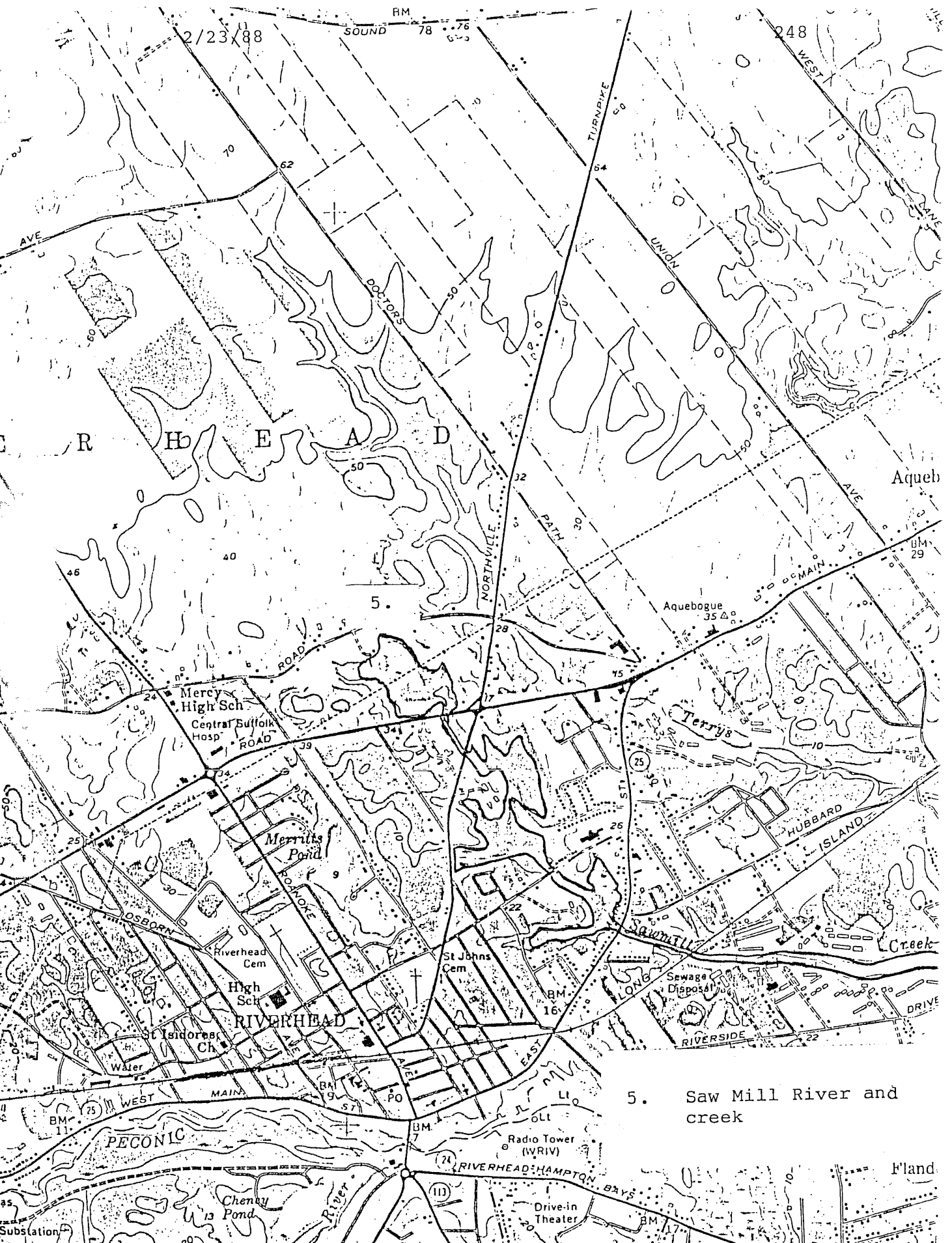
East Creek

As its name implies this is the eastern most creek in the Town. The beach area along the lower channel has been designated by the Dept. of State as a Coastal Fish and Wildlife Habitat. Least Terns(E) and Piping Plovers(T) nest here.

(T) = Threatened species

(E) = Endangered species

"A Plan for the Coastal Areas" for the Town of Riverhead states that "several creeks including Meetinghouse, Saw Mill and Terry, enter Flanders Bay. The creek areas with associated marshlands are spawning grounds for finfish and shellfish. The creeks with extensive tidal (marine) wetland areas include Terry, Meetinghouse, Reeves and East. Care should be taken to preserve valuable spawning grounds and to avoid erosion of shore areas".



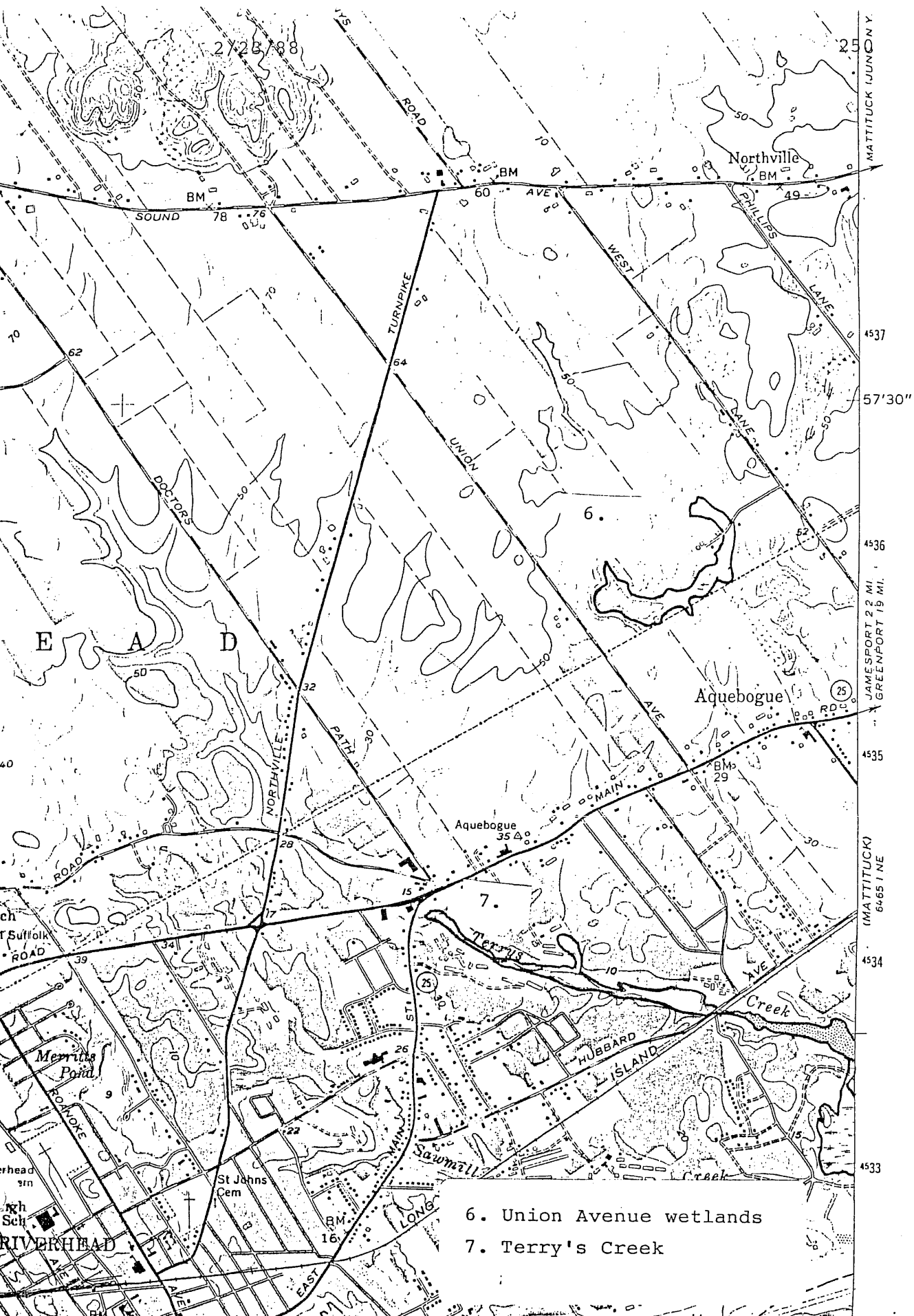
5. Saw Mill River and creek

Saw Mill River and Creek

The red maple swamp headwaters for this two and a half mile long stream corridor are located north of Route 58. Several ponds are also located here. Mill Pond, found just off Route 25, is the largest of the ponds in the system. The Saw Mill Brook extends west to where it ends just short of Howell Avenue.

At one time as many as five duck farms may have graced the corridor of this stream. Three have been out of operation for more than twenty years. The two remaining have recently ceased operation. This urban stream runs through several undeveloped, wooded parcels and through areas that have been vacant for sometime. The areas that have been developed at one time or another have been reclaimed by wildlife which include white-tail deer and racoons. Black ducks, snowy egrets, mute swans and painted turtle are also found in this system.

The stream corridor serves as a natural drainage system for a large portion of the hamlet. Careful evaluation of all projects proposed here should take place.



Wetlands at Union Avenue

The wetlands located between Union Avenue and West Lane in Aquebogue may be one of the largest freshwater wetlands on the North Fork. The marsh and ponds are fed from a spring and brook which originate behind the Additive Products building. It is a completely self-contained ecosystem and may be hydrologically connected to the water table, in other words, a "surface expression" of the water table.

The system is located on the North Fork groundwater divide and in the "watershed core" as recently identified by the Suffolk County Water Authority.

There is extensive vegetation surrounding the site. Ducks and painted turtles have been observed at the ponds here.

Complete plant and wildlife inventories should be conducted at this site.

Terry's Creek

The 1973 Master Plan describes this creek as having an extensive tidal wetland and as a spawning ground for finfish and shellfish.

Upper freshwater portions of this system have been lost. The natural drainage way has been replaced with an underground drainage pipe system. Lower portions of the creek are being threatened with eutrophication.



8. wetlands west of
Kroemer Avenue

Wetlands west of Kroemer Avenue

This coastal plain pond is surrounded by pine/oak woodlands. It is similiar in quality to the Calverton Ponds found in Manorville. The wetland vegetation found here includes swamp loosestrife, sun-dews, marsh St. Johnsworts, tupelo, pipe worts, water lilys, various ferns, meadow beauty and sedges.

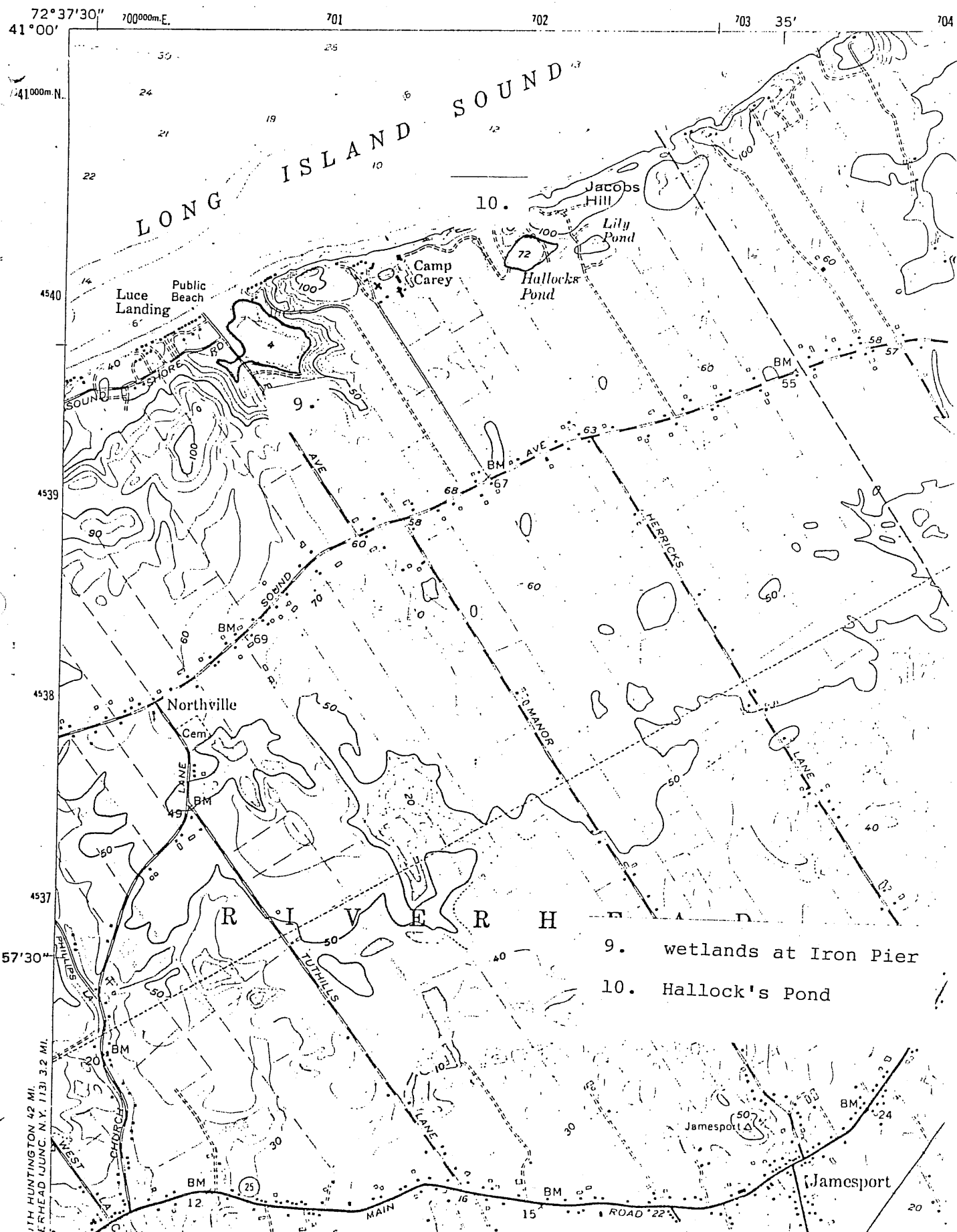
This site was determined by DEC staff to be a tiger salamander (E) habitat. The lower portion of the wetland was destroyed several years ago, it should be restored and be added to the 16-acre preserve containing the upper segement of these wetlands.

(E) = Endangered

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

2/23/88

254



Hallock's Pond

This pond is unique in that it is one of the larger ponds which is located directly on the north shore's Harbor Hill moraine. The vegetation found here includes willows, red maple, sourgum, bayberry, pickerelweed, various sedges and swamp loosestrife. Wildlife would include white-tail deer, racoons and great blue herons.

Tidal wetlands at Iron Pier

The 1973 Master Plan notes that there are "tidal marshes and wetlands in the northern coastal regions at Wading River, Baiting Hollow and in the vicinity of Iron Pier". This Town-owned marsh serves as an important habitat and as a spawning ground for finfish and shellfish.

2/23/88

256

WADING RIVER MARSH



NYC METROPOLITAN
URBAN AREA BOUNDARY
IS DEFINED AS FOLLOWS
THE SHORELINE 11.

Fishing Rock *
Wading River
Landing

11. Wading River Marsh

Wading River Marsh

Effective March 15, 1987, this 200 acre salt marsh was designated as a significant fish and wildlife habitat by the Department of State. The following information was contained in the report supporting that action.

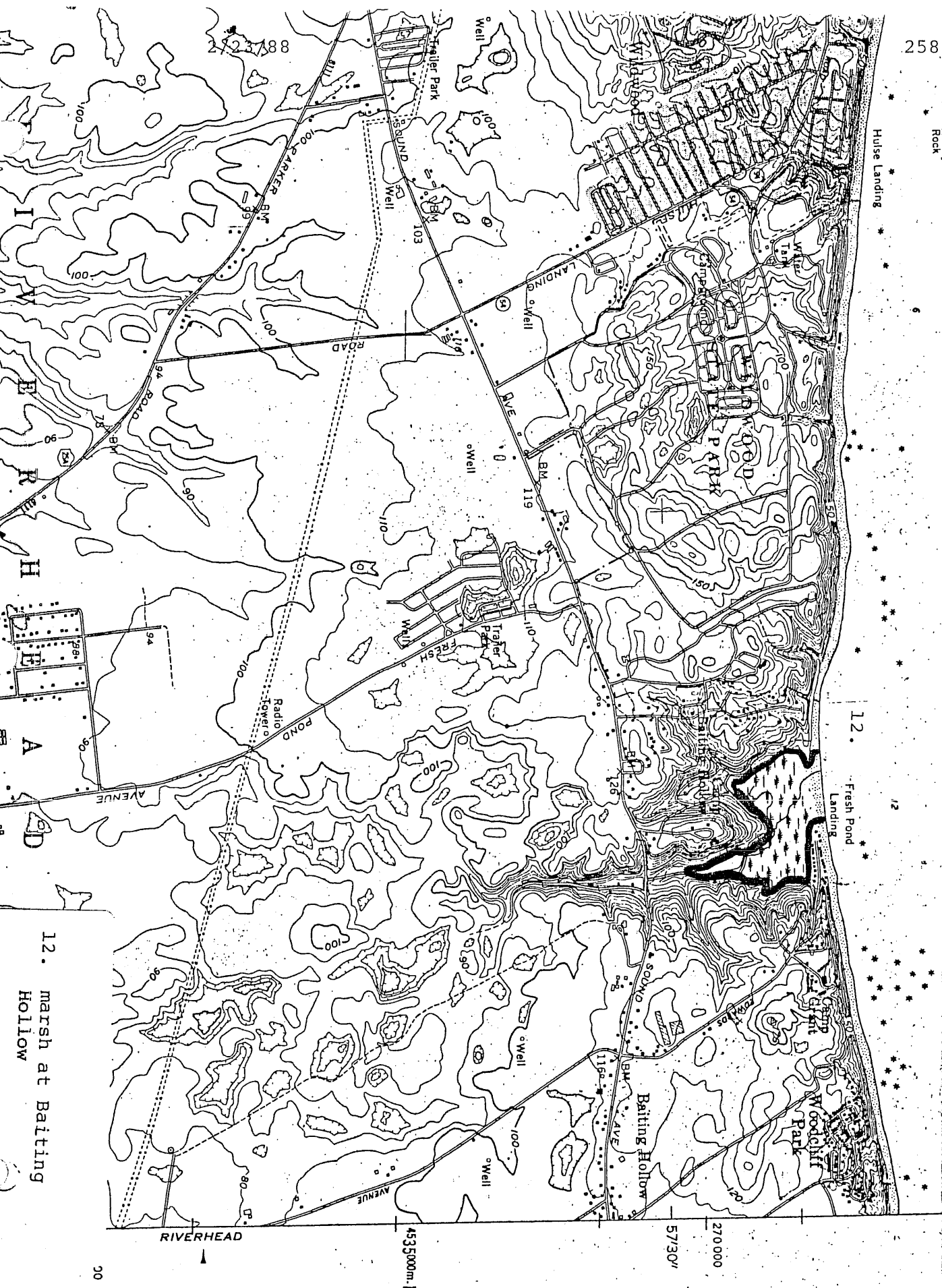
Fish and Wildlife values:

Wading River Marsh is one of the very few large areas of undeveloped salt marsh ecosystem remaining on the north shore of Long Island. The Wading River Marsh provides habitat for a variety of fish and wildlife species that are characteristic of Long Island's coastal marshes. Bird species that may breed here include mallard, Canada goose, green-backed heron, American bittern, clapper rail, Virginia rail, American woodcock, sharp-tailed sparrow, and swamp sparrow. This site also serves as a feeding ground for herons, egrets, plovers, sandpipers, waterfowl, northern harrier(T), and osprey(T). The Marsh is a productive area for fish, shellfish and crustaceans, contributing to the biological productivity of the Long Island Sound. This Marsh may also be important as feeding and resting areas for juvenile Kemp's Ridley sea turtles(E) particularly in the late summer and fall.

Any activity that would substantially degrade the water quality in the Wading River Marsh would adversely affect the biological productivity of this area. All species of fish and wildlife would be affected by water pollution, chemical contamination, oil spills and waste disposal. Elimination of salt marsh vegetation from landfilling or dredge spoil disposal, would result in a direct loss of valuable habitat area.

(T) = Threatened

(E) = Endangered



Appendix A

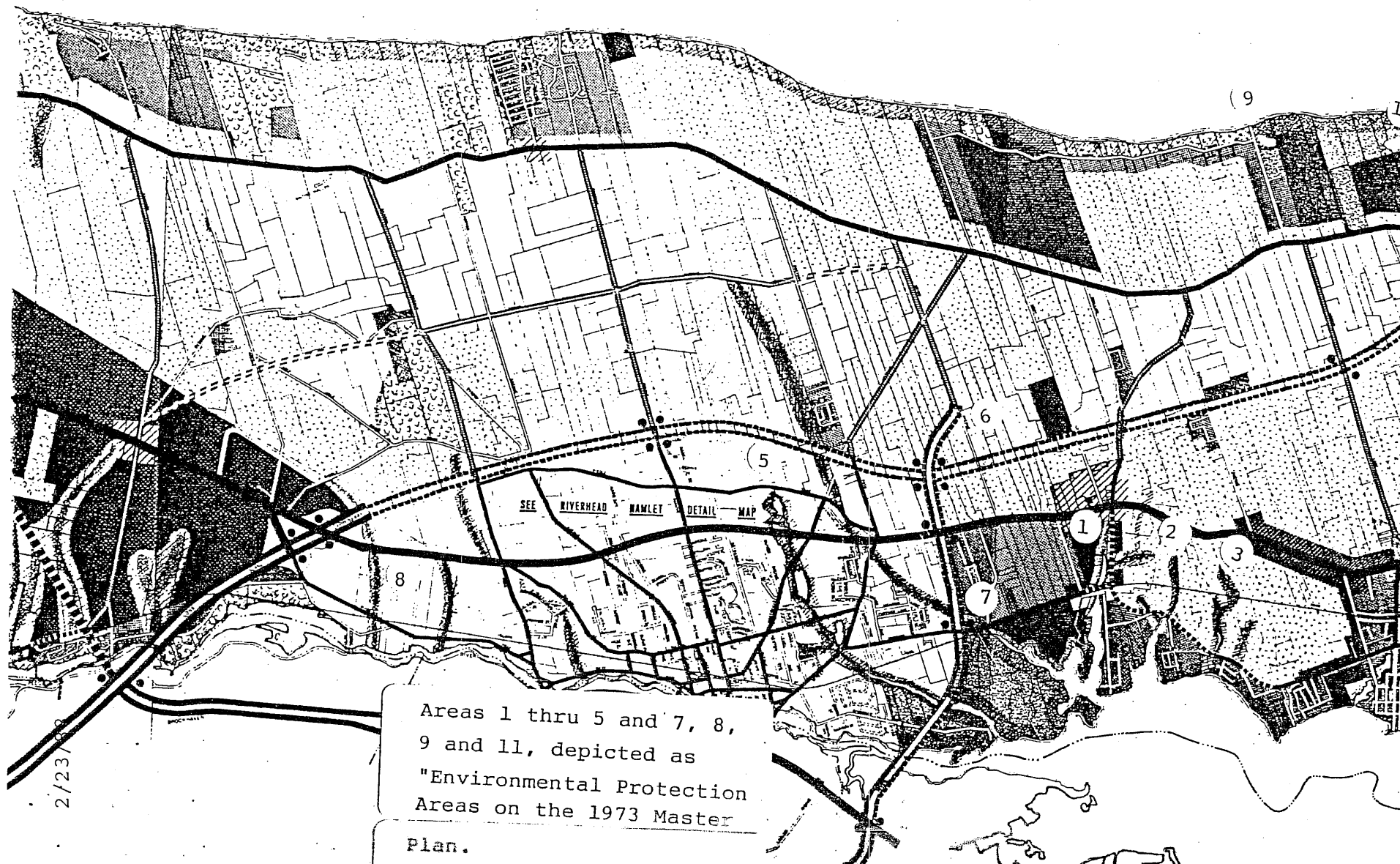
L O N G

Master Plan
1973

S O U N D

260

11



Areas 1 thru 5 and 7, 8,
9 and 11, depicted as
"Environmental Protection
Areas on the 1973 Master
Plan.

2/23/88

261

Appendix B

(ii) a natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality);

(iii) social, cultural, historic, archaeological, recreational, or educational values; or

(iv) an inherent ecological, geological or hydrological sensitivity to change which may be adversely affected by any change.

(2) Notification that an area has been designated as a CEA must be filed with:

(i) the commissioner;

(ii) the appropriate regional office of the Department;

and

(iii) any other agency regularly involved in approving, undertaking or funding actions in the municipality in which the area has been designated.

(3) This designation shall take effect 30 days after such filing. The filing must contain a map at an appropriate scale to readily locate the boundaries of the CEA. Each designation of a CEA shall be published in the ENB by the Department and the Department shall serve as a clearinghouse for information on CEA's.

617.5 INITIAL REVIEW OF ACTIONS.

(a) As early as possible in an agency's formulation of an action it proposes to undertake, or as soon as an agency receives an application for a funding or approval action, it shall do the following:

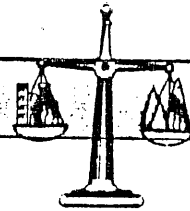
(1) Determine whether the action is subject to SEQR. If the action is an exempt, an excluded, or a Type II action, the agency shall have no further responsibilities under this Part.

(2) Determine whether the action involves a Federal agency. If the action involves a Federal agency, the provisions of section 617.16 of this Part shall apply.

(3) Determine whether the action may involve one or more other agencies.

(4) Make a preliminary classification of an action as Type I or Unlisted, using the information available and comparing it with the thresholds set forth in section 617.12 of this Part. Such preliminary classification will assist in determining whether a full EAF and coordinated review is necessary.

SEQR Handbook



8. Is a SEQR Hearing Required for a Type I Action?

NO. It is not a requirement that all Type I actions be the subject of a SEQR Hearing. A hearing may be conducted on a Type I action that has been the subject of an EIS, at the discretion of the lead agency (see 617.8(d)).

9. What are the Filing Requirements For a Type I Action?

The required notices and filing points for a Type I action are contained in Appendix B "Model SEQR Notices".

Critical Environmental Areas

1. What are Critical Environmental Areas?

Under SEQR, local governments have the ability to designate specific geographic areas within their boundaries as "Critical Environmental Areas" (CEA's). Local agencies may designate as CEA's those areas that are of exceptional or unique character. Qualities of a CEA may include:

- a benefit or threat to the public health or public safety (Benefit-water supply reservoir; Threat-abandoned landfill, flood hazard area)
- a natural setting (fish and wildlife habitat, forested area, aesthetic open space)
- a location having social, cultural, historic, archaeological, recreational, or educational importance (historic building, landmark, waterfront access)
- an inherent ecological, geological, or hydrological sensitivity to change which could be adversely affected by any change (groundwater aquifer, endangered species habitat)

2. How Do You Know if a CEA Exists Within the Area of Your Project?

All CEA designations must be filed with the Commissioner of DEC (see 617.4). The Division of Regulatory Affairs (50 Wolf Road, Albany, New York 12233-0001) maintains a listing of all designated Critical Environmental Areas.

3. What Advantages Does CEA Designation Offer?

Once a site has been designated as a Critical Environmental Area, that specific site becomes part of the statewide Type I list under SEQR. Any action occurring "wholly or partially within or substantially contiguous to any Critical Environmental Area" (617.12(b)(11)) is considered to be a Type I action for any local or state agency involved in that action.

CEA designation assures that the procedures for Type I actions will be followed for each action. Specifically, involved agencies must designate a lead agency to coordinate the project's SEQR review. Notices of the lead agency's determination of significance must be publicly filed with the appropriate filing points listed in the regulations (617.10(b) and (c)).

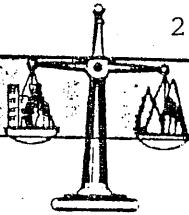
In addition, agencies may:

- file with agencies that may be affected by the action, even though they are not jurisdictionally involved
- notify affected landowners
- provide for general public notice (posting, open files, public notices, etc.)

Further, a Full Environmental Assessment Form (EAF) must be used by the lead agency in determining the significance of an action associated with a CEA. The EAF is comprehensive in nature. As a component of the public record of a project, the EAF provides a clear indication of the considerations made by the lead agency.

Although Type I actions do not always result in a determination that an Environmental Impact Statement is required, they are more likely to require an EIS than Unlisted actions.

CEA designation does not automatically cause an EIS to be prepared for every action associated with the designated CEA.



SEQR Handbook

It is important to recognize that CEA designation is a less restrictive option for environmental protection than special zoning or easements. The process is unique in that it insures more public involvement and environmental review for activities in such areas. However, it does not place additional controls or land use restrictions on areas covered by the designation.

4. What is the Process for Designating a CEA?

If a local government determines that a specific site needs the protection that designation as a CEA offers, it must:

- a. announce the intended designation through written public notice
- b. conduct a public hearing(s)
- c. designate the Critical Environmental Area
- d. file the designation with the Commissioner of DEC

The designation will take effect 30 days after the filing with DEC.

5. What are Some Optional Procedures to Consider When Designating a CEA?

- a. hold a pre-designation meeting

Prior to the formal designation of a CEA, it is suggested that the local agency meet with the affected landowners and the public. The meeting could serve to define the following:

- 1.) SEQR provisions that will affect the review of future actions
- 2.) geographic boundaries of the CEA
- 3.) critical community values to be affected by the designation
- 4.) adverse impacts likely to be incurred if designation is not implemented, and
- 5.) management plans for the CEA. (Determine the compatible activities within and adjacent to the proposed CEA, and propose special mitigation measures, acceptable impact thresholds, or compatible future actions).

- b. Prepare a Generic EIS

A concise Generic EIS on the proposed CEA could provide an effective management outline to present to landowners, the general public, and the decision-makers acting on the CEA proposal. (See page B-39).

Appendix C

CRD - Community Resource Development - is the name of Cooperative Extension's adult education program designed to help local leaders meet the needs and solve the problems of their communities. Short courses, publications, tours, seminars, slide programs, and meetings are used to provide information to both government officials, agencies, and advisory committees and non-governmental community organizations.

In Suffolk County, the CRD program focuses on such topics as land use, environmental management, housing, community and economic development, local government operations, human services, and process skills. Over the past decade we've amassed a large amount of information on these issues.

Natural Resource Protection

through

CRITICAL ENVIRONMENTAL AREA DESIGNATION

pursuant to the

State Environmental Quality

Review Act



Cornell University
State University of New York
U.S. Department of Agriculture

Cooperative Extension Association
of Suffolk County
246 Griffing Ave., Riverhead, NY 11901

Telephone 516-727-7850

STATUTORY AUTHORITY

"The capacity of the environment is limited, and it is the intent of the legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds from being reached."

This general sentence in Section 8-0103 of Article 8 of the New York State's Environmental Conservation Law (the State Environmental Quality Review Act or simply SEQRA) offers significant potential for protecting natural resources throughout Suffolk County and the state. This is the statutory authority for the designation of "Critical Environmental Areas" which requires the greatest degree of review for actions that might adversely affect such areas.

DEFINITION AND CRITERIA

A "Critical Environmental Area" has been defined by the state as "a specific geographic area recognized and designated as having exceptional or unique characteristics that make it important to the local community."

Qualities of a Critical Environmental Area may include:

- A benefit or threat to the public health or public safety (Benefit-water supply, reservoir; Threat-abandoned landfill, flood hazard area)
- A natural setting (fish and wildlife habitat, forested area, aesthetic open space)
- A location having social, cultural, historic, archaeological, recreational or educational importance (historic building, landmark, waterfront access)
- An inherent ecological, geological, or hydrological sensitivity to change which could be adversely affected by any change (groundwater aquifer, endangered species habitat)

DESIGNATION PROCEDURE

The procedure for designating a Critical Environmental Area is outlined in Part 617.4 (j) and (k) of the rules and regulations for implementing the SEQRA. This procedure is as follows:

1. If a local government determines that a specific site needs the protection that designation as a CEA offers, it must:
 - a. Announce the intended designation through written public notice.
 - b. Conduct a public hearing(s).
 - c. Designate the Critical Environmental Area.
 - d. File the designation with the Commissioner of DEC.
2. The designation will take effect 30 days after the filing with DEC.

DESIGNATION SIGNIFICANCE

What is the significance or advantage of designating Critical Environmental Areas? The answer, simply stated, is that all proposed actions in or adjacent to Critical Environmental Areas are classified as "Type 1" and are subject to the most thorough environmental review. A more detailed answer, edited from the SEQRA Handbook, is as follows:

Once a site has been designated as a Critical Environmental Area, that specific site becomes part of the statewide Type 1 list under SEQRA. Any action occurring "wholly or partially within or substantially contiguous to any Critical Environmental Area" is considered to be a Type 1 action for any local or state agency involved in that action.

CEA designation assures that the procedures for Type 1 actions will be followed for each action. Specifically, involved agencies must designate a lead agency to coordinate the project's SEQRA review. Notices of the lead agency's determination of significance must be publicly filed with the appropriate filing points listed in the regulations. In addition, agencies may:

- a. File with agencies that may be affected by the action, even though they are not jurisdictionally involved.
- b. Notify affected landowners.
- c. Provide for general public notice (posting, open files, public notices, etc.)

Furthermore, a full Environmental Assessment Form (EAF) must be used by the lead agency in determining the significance of an action associated with a CEA. The EAF is comprehensive in nature. As a component of the public record of a project, the EAF provides a clear indication of the considerations made by the lead agency.

Although Type 1 actions do not always result in a determination that an Environmental Impact Statement is required, they are more likely to require an EIS than Unlisted actions.

CEA designation does not automatically cause an EIS to be prepared for every action associated with the designated CEA.

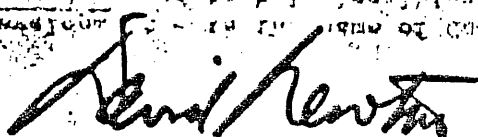
CONCLUSION

Critical Environmental Area designation is not a panacea. As noted in the SEQR HANDBOOK: "It is important to recognize that CEA designation is a less restrictive option for environmental protection than special zoning or easements. The process is unique in that it insures more public involvement and environmental review for activities in such areas. However, it does not place additional controls or land use restrictions on areas covered by the designation."

Only a few sites in Suffolk County have been designated as Critical Environmental Areas to date. Any level of government - state, county, town, village - can act to designate sites.

REFERENCES

- Environmental Conservation Law, Article 8 (Environmental Quality Review)
 - Part 617, "Rules, Regulations, Procedures for State Environmental Quality Review"
 - The SEQR Handbook, NYS Department of Environmental Conservation, 1984
- For further information, contact the NYS Department of Environmental Conservation at Building 40, Stony Brook, New York 11794 or 50 Wolf Road, Albany, New York 12233.



David Newton
COOPERATIVE EXTENSION AGENT
Community Resource Development Program

Appendix D

§ 107-1 WETLANDS, FLOODPLAINS, DRAINAGE § 107-1

Chapter 107

WETLANDS, FLOODPLAINS AND DRAINAGE

- § 107-1. Legislative intent.
- § 107-2. Title.
- § 107-3. Definitions.
- § 107-4. Prohibited acts.
- § 107-5. Permitted acts.
- § 107-6. Application for permit.
- § 107-7. Procedure for issuance of permit; display of permit; inspections.
- § 107-8. Compliance with conditions.
- § 107-9. Notice of violation; penalties for offenses.
- § 107-10. Continuation of existing or prior conditions.

[HISTORY: Adopted by the Town Board of the Town of Riverhead 8-17-76 as Local Law No. 5-1976. Amendments noted where applicable.]

§ 107-1. Legislative intent.

- A. The Town Board of Riverhead finds that rapid growth, the spread of development and increasing demands upon natural resources are encroaching upon, despoiling, polluting or eliminating many of its watercourses, coastal wetlands, tidal marshes, floodplain lands, freshwater wetlands, watersheds, water recharge areas and other natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, social, aesthetic, recreation and economic assets to existing and future residents of the town.

§ 107-1

RIVERHEAD CODE

§ 107-3

B. It is the intent of the Town Board to protect the citizens of the Town of Riverhead by providing for the protection, preservation, proper maintenance and use of its watercourses, coastal wetlands, tidal marshes, floodplain lands, freshwater wetlands, watersheds, water recharge areas and natural drainage systems in order to minimize their disturbance, prevent damage from erosion, turbidity, siltation or saltwater intrusion, prevent the loss of fish, shellfish or other beneficial marine organisms, aquatic wildlife and vegetation and the destruction of the natural habitat thereof, prevent the danger of flood and storm tide damage and pollution and to otherwise protect the quality of watercourses, coastal wetlands, tidal waters, marshes, shorelines, freshwater wetlands, watersheds and water recharge areas, underground water reserves, beaches and natural drainage systems for their conservation, economic, aesthetic, recreation and other public uses and values and, further, to protect the town's potable fresh water supplies from the dangers of drought, overdraft, pollution and misuse or mismanagement. Therefore, the Town Board declares that regulation of the watercourses, coastal wetlands, tidal marshes, floodplain lands, freshwater wetlands, watersheds, water recharge areas and natural drainage systems of Riverhead Town is essential to the health, safety and economic and general welfare of the people of Riverhead Town, and for their interest.

§ 107-2. Title.

This chapter shall be known and may be cited as the "Coastal and Freshwater Wetlands, Floodplain and Drainage Law of the Town of Riverhead."

§ 107-3. Definitions.

The following terms, phrases, words and their derivatives shall have the meanings given herein:

COASTAL FLOODPLAIN — Includes all tidal waters and all those submerged lands, coastal wetlands, tidal

Appendix E

The Town of Riverhead, particularly its north shore, is very much affected in development patterns to the present day by its geological land forms and their relationship to the water. Long Island Sound extends along the entire length of the northern boundary of the Town. This coastal area relating to the Long Island Sound is characterized by beaches and bluffs for most of the length of the north shore, with dunes present behind (south of) the beaches in some locations, e.g., in the northwestern most section of the Town in Wading River, in the Baiting Hollow area at the end of Edwards Avenue and north and east of Warner Drive, and near Pier Road in the northwestern portion of the Town. In addition, in the northern coastal region there are areas of tidal marshes and wetlands especially in Wading River, Baiting Hollow, and in the vicinity of Iron Pier Road. These wetlands provide natural drainageways for adjacent areas and serve as important habitats and spawning grounds for finfish and shellfish. Tidal marshes develop where finer sediments accumulate and rise to a level where plants can begin to colonize them. The marshes also act as erosion buffers both in times of storm activity and during natural action of tides in winds and currents.

The Peconic River shore is made up entirely of wetlands, with no beach area. The Peconic, Long Island's largest river, begins in swamps, ponds and bogs in the vicinity of Brookhaven National Laboratory and continues past dams originally constructed for the cultivation of cranberries. The dam at Grangabel Park marks the end of the freshwater section of the Peconic. Downstream the water is an estuary of Flanders Bay. The upper portion of the Peconic is generally navigable by canoe with portage areas. The portion east of the Town parking lot is navigable by larger boats, but tall sailboats cannot go under the County Route 105 Roadway Bridge. The waters of the Peconic River (as well as the Wading River) are designated as uncertified areas for shellfish harvesting.*

The southern shore east of the hamlet is characterized by the presence of beaches and wetlands with some dunes in Indian Island County Park. Several creeks including Meeting House Creek, Sawmill Creek, and Terry Creek enter Flanders Bay. The creek areas with associated marshlands are spawning grounds for finfish and shellfish; however, shellfishing in areas of Flanders Bay west of Simmons Point is prohibited because effluent from duck farms has polluted the creeks and has remained in the silt at the creek bottoms.

The creeks with extensive tidal (marine) wetland areas include: Terry, Meetinghouse, Reeves and East. In addition Brown's Point in South Jamesport and Indian Island Park contain significant wetland areas. Where necessary for navigational purposes, limited dredging of these creeks and the Peconic River can be considered. Care should be taken to preserve valuable spawning grounds and to avoid erosion of shore areas.

*New York State Department of Environmental Conservation, Notice to Shellfish Harvesters, January 1, 1983 taken from Part 41 NYCRR.

Just as the Peconic is fed from upstream bogs and wetland areas, north of Peconic Bay Boulevard are found several freshwater ponds and wetland areas which ultimately feed into the creeks. Most of these areas are located within or adjacent to agricultural areas. The freshwater wetlands, too, are part of the natural drainage system and should not be filled in or developed. If these areas are filled in or paved, the freshwater flow to the coast may occur in surges rather than gradually and result in flooding conditions.

All the above mentioned coastal land features are the result of a series of physical and geological factors including glaciation, changing sea level, waves, tidal currents and wind. Through the continuing natural processes of erosion, transportation and deposition, these factors continually modify existing land forms. Each shoreline and shore feature should be viewed as a changing rather than a static feature.

The Long Island Regional Planning Board has indicated in its coastal studies including the Long Island Regional Element (1979) that the northern glacial buffs are typically eroding at rates of one to three feet per year and that the more protected Peconic coastline is eroding at a rate of about one foot per year. Careful planning must avoid placing development where substantial damage to manmade structures as well as natural features may result from storm activity.

The LIRPB recommends in their Regional Element and Coastal Erosion Subplan (1978) that the following strategies be adopted relative to Long Island's and particularly to Riverhead's erosion problems:

1. Accept the natural, long term shoreline regression that is occurring along the north shore, [and the] Peconic shore... as a phenomenon that is beyond present capability for practical, effective control. Emphasize non-structural solutions to coastal erosion problems along these shoreline areas.
2. Employ sand nourishment techniques to maintain public beaches and recreation areas subject to high density use. When the need exists, use these techniques to establish new beach areas in locations where historical records indicate either an accretion or low to moderate erosion of the shore.

Appendix F

Tidal Wetland and Marsh-Tidal Flood Plain

From an ecological point of view, much of Riverhead's tidal marsh and estuary wetland areas have been destroyed. This has occurred through filling and development, duck farm drainage, upstream drainage and marine usage. Some of these practices have been placed under more stringent regulatory controls, primarily by Suffolk County's Department of Health and the New York State Department of Environmental Conservation.

The tidal wetlands and marshes are very significant features in the ecological system that supports marine fisheries and migratory birds. They protect upland areas from the impact of storms and provide educational and scenic resources for the human community. Therefore, this Environmental Plan seeks to preserve and protect remaining tidal wetlands and salt marshes of good quality. At the same time, it recognizes that the Riverhead Community may well have increased need for beaches and marinas. Expansion of these facilities is proposed in areas that are already of poor quality or are limited in concept to a degree which would be compatible with the natural environment.

Zoning regulations should be designed to permit land uses compatible with particular shoreline areas and should also identify tidal wetlands and marshes. Development shall be prohibited in the latter areas, except under very special condi-

tions. These same tidal wetland and salt marsh areas will be subject to review by the New York State Department of Environmental Conservation.

Tidal flooding is not an uncommon experience in certain already developed areas of the Town of Riverhead, including the Riverhead Business Center. The Corps of Engineers has analyzed the history of storms and such flooding. The 100 year tidal flood along Long Island Sound was found to be 12.1 feet above mean sea level. For Flanders and Peconic Bays, the 100 year tidal flood is calculated to be 7.5 feet above mean sea level. The term 100 year flood does not imply a 100 year interval between floods of this magnitude. It does mean that this flood has an average frequency of occurrence in the order of once in 100 years at a designated location. However, it may occur in any year. It is standard practice to define this 100 year flood as the extent of the flood plain. Development of land below these elevations is subject to flooding.

It is proposed that flood plain zoning be incorporated in the Zoning Ordinance to protect property within the 100 year flood plain area.

Environmental Protection Areas

The Comprehensive Master Plan includes a classification entitled, Environmental Protection Areas. Its delineation on the map is intended to graphically call attention to the principles incorporated in the three environmental concerns stated above: ground water protection and natural drainage, tidal wetlands and salt marshes, and tidal flood plain. It is not intended to establish the limits or in any way define the precise extent or even indicate all of the areas of concern. Such details are set forth in the regulatory measures and their reference maps.

These same Environmental Protection Areas cover the 500 foot deep band along the shoreline of the Long Island Sound, Flanders and Peconic Bays and related estuaries over which the Suffolk County Planning Commission exercises a review jurisdiction. The nature of this authority is stated in the Suffolk County Charter, Sections 1323 to 1332. It covers zoning amendments, special exceptions, variances and subdivision plots. The procedure includes consideration of objections by state agencies concerned with environmental protection as well as objections by affected municipalities.

Appendix G

lakes and freshwater wetlands are of minor areal importance in the Long Island system, these water bodies are significant. Detailed information concerning the ecology of many Long Island freshwater bodies is minimal. The streams are generally edged with a narrow band of wetlands. These wetlands, together with epibenthic plants, are nutrient cyclers. In those areas where the streams have been channeled or the wetlands have been filled, nutrient and organic cycles are curtailed and pollutants are transported downstream.

The scattered lakes are generally small and shallow. Many are impoundments, formed by damming of streams. Whereas stream water usually exhibits a significant flow, water in impoundments has a high residence time and thus is susceptible to nutrient and coliform inputs. Residence time is related to the rate of stream inflow and outflow. Past sewerage and pumping, particularly in Nassau County, have lowered the water table, and hence streamflow in a number of areas, and have thus increased residence time in some impoundments. Many Long Island lakes and streams display eutrophic conditions and high coliform counts as a result of wild and semi-wild waterfowl pollution and runoff. In addition, coliform die-off rates are extended due to the warmer water temperatures, thus maintaining high levels for longer periods. Swimming is only allowed where an average value of total coliform is below a specified standard, and adequate sanitary and safety facilities are provided.

2.6.2.4 Marine Wetland Subsystem. Wetlands serve as nurseries and spawning grounds for many commercially important fishes and shellfishes. They also protect the shoreline from the intensive erosion that might otherwise occur during storms, and they serve to attenuate many harmful effects of such pollutants as human and animal wastes and wet-weather runoff by assimilating nutrients into a diverse food web. Wetlands and tidal marshes cover 545 square kilometers of Long Island, and their continued viability is a major environmental concern in regional wastewater management.

Immediately above the mean high water line in wetlands, there is a low marshy area characterized by infrequent inundation and soft, peaty, often saline soils. This zone is usually dominated by either of two plants, salt marsh hay (*Spartina patens*), or spike grass (*Distichlis spicata*), or by a combination of the two. The saltworts are less abundant but still common. A variety of marsh plants that are less tolerant of saltwater inundation grow at somewhat greater elevations above the high tide level. One of the most notable among these is the marsh reed, *Phragmites communis*. *Phragmites* thrive in a wide range of soil types, including very saline soils. As a result, it frequently dominates spoil banks created during dredging operations or landfilling. Other marsh species include the cattails, black grass, groundsel bush and marsh elder.

The greater part of Long Island's tidal marshes and wetlands, 314 square kilometers, are in Suffolk County. The remaining 231 square kilometers are in Nassau County, where large areas of salt marsh are located in the sheltered South Shore bays in the Towns of Hempstead and Oyster Bay.

Appendix H

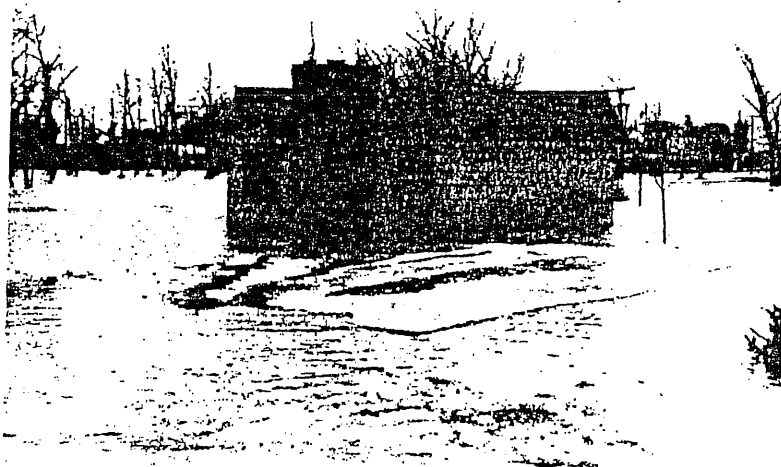
THE STREAM CORRIDOR AND BEYOND:

THE STREAM CORRIDOR (STREAM AND ITS IMMEDIATE SHORELAND ENVIRONMENT) IS AN AREA OF CRITICAL ENVIRONMENTAL SIGNIFICANCE WHICH, BECAUSE IT IS AN AREA WHICH INCLUDES THE STREAM AND THE NATURAL AND CULTURAL RESOURCES THAT ARE CLOSELY RELATED TO IT, IS THE MOST IMPORTANT ZONE FOR CONCENTRATING WATERWAY CONSERVATION AND MANAGEMENT EFFORTS.

Stream corridor management places primary emphasis on water quality protection and enhancement through the control of nonpoint sources of pollution, such as erosion and sedimentation, and on protection of natural and cultural resources in the stream corridor. Flood plain management, which places emphasis on the protection of people and structures from flood hazards, also is a part of stream corridor management. With proper management, a stream corridor can serve as a buffer zone to filter the sediment and pollution produced by urbanization and other land use activities such as agriculture or timber harvesting. It can also provide a margin of safety from flood and erosion hazards to adjacent populations.



*Flooding is a natural occurrence, but can be costly to society. . .
(Photo courtesy Elmira Star-Gazette, Inc.)*



*. . . and to individuals when development of floodplains is uncontrolled.
(Photo courtesy Elmira Star-Gazette, Inc.)*

**TABLE 1. PUBLIC BENEFITS OF
STREAM CORRIDOR CONSERVATION**

Recreation
<ul style="list-style-type: none"> • Fishery • Parks • Playgrounds • Urban walkways • Picnic groves • Bikeways • Nature trails • Canoeing • Scenic and aesthetic amenities • Wildlife habitat
Water Supply
<ul style="list-style-type: none"> • Domestic supplies • Industrial supplies • Groundwater recharge • Irrigation and other agricultural uses
Waste Removal
<ul style="list-style-type: none"> • Disposal of treated waste effluent through assimilative capacity
Other Stream Corridor Conservation Benefits
<ul style="list-style-type: none"> • Flood storage and retention • Navigation • Hydropower • Historic preservation

In spite of these values, streams are not always accorded treatment which allows them to function properly. Many have been needlessly polluted, unwisely dammed, or insensitively channelized, thereby reducing their capability to satisfy diverse human needs. All too frequently development has been permitted to occur too close to streams and rivers only to incur costly flood damage later. In 1978, for example, flood damage in New York State was assessed at 100 million dollars. In June 1972, a major storm killed twenty people and caused over one billion dollars in damages in the Chemung, Allegheny, and Oswego Basins. The areas affected by Hurricane Agnes are among the least populated in the State. Had the storm centered on any other area, these damages undoubtedly would have been much greater.

Clearly, a community can reap economic and social benefits if its streams are properly managed. Conversely, a stream can become an economic and social liability if a community neglects a stream or permits adjacent lands to be improperly used. When incorporated by local officials within a land use planning and regulatory framework, the tools described in this manual will contribute to the provision of the following water resource and environmental benefits:

- protection of the natural environment including water quality, soil conservation, aquatic ecology (fisheries) and terrestrial ecology (wildlife);
- protection of health and safety from flooding and storm damage;
- improved cultural and economic environment through the protection of aesthetic conditions along streams.

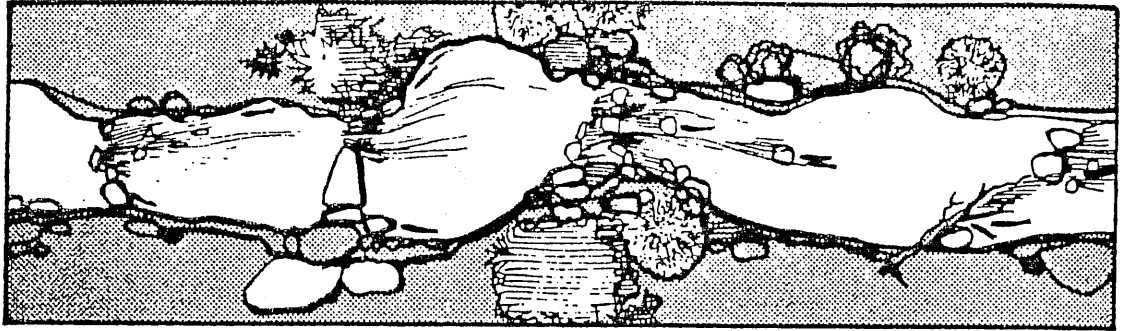


Figure 2. Pool-to-Riffle Ratio. In general, a rather close succession of pools and riffles, for example a 50 percent-to-50 percent ratio, provides ideal fisheries habitat.

In addition to the above habitat features, stream temperature, particularly during warm periods in summer, is of critical importance to fish populations. In general, for a trout fishery to be successful, stream temperatures should not exceed the mid-60's during summer periods. Table 2 shows the temperature preferences of several species of trout and salmon found in New York State.

TABLE 2
TEMPERATURE PREFERENCES OF TROUT AND SALMON
(IN DEGREES FAHRENHEIT)

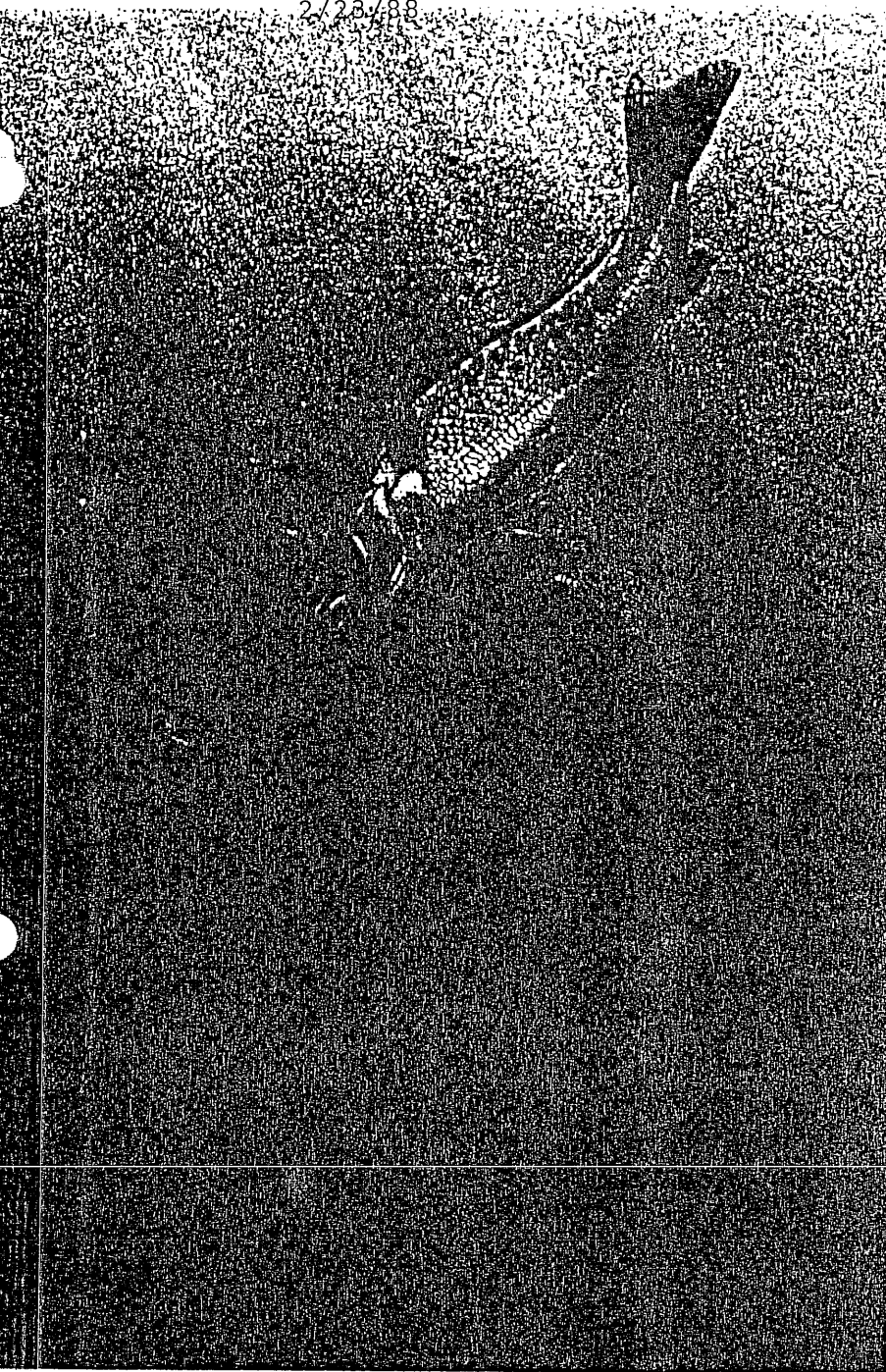
Species	Preferred Comfort Range	Preferred Breeding Temperature
Landlocked Salmon	52 - 65	58 - 61
Rainbow Trout	55 - 67	59 - 62
Brown Trout	54 - 68	59 - 63
Brook Trout	50 - 65	58 - 61

Impacts to Habitat

ELIMINATION OF NATURAL FEATURES WITHIN A STREAM SYSTEM CAN DECREASE ITS DIVERSITY AND VALUE. IT CAN RESULT IN THE LOSS OF IMPORTANT SPAWNING AND NURSERY AREAS, INTERFERE WITH NATURAL FOOD SUPPLIES, AND, ULTIMATELY, REDUCE PLANT, FISH, AND OTHER ANIMAL LIFE IN A STREAM AND CAUSE PROPERTY DAMAGE DOWNSTREAM.

Table 3 identifies a variety of impacts to fisheries habitat from selected nonpoint source contaminants and from physical disturbances to streams brought about by in-stream and watershed (off-stream) hydrologic modifications. Impacts of greatest concern, owing to their frequency of occurrence, include loss of cover (pools), loss of food producing substrate and spawning habitat (riffles), and elevated stream temperatures during summer months which has a significant influence on the species composition of a fishery.

2/23/88



Weakfish



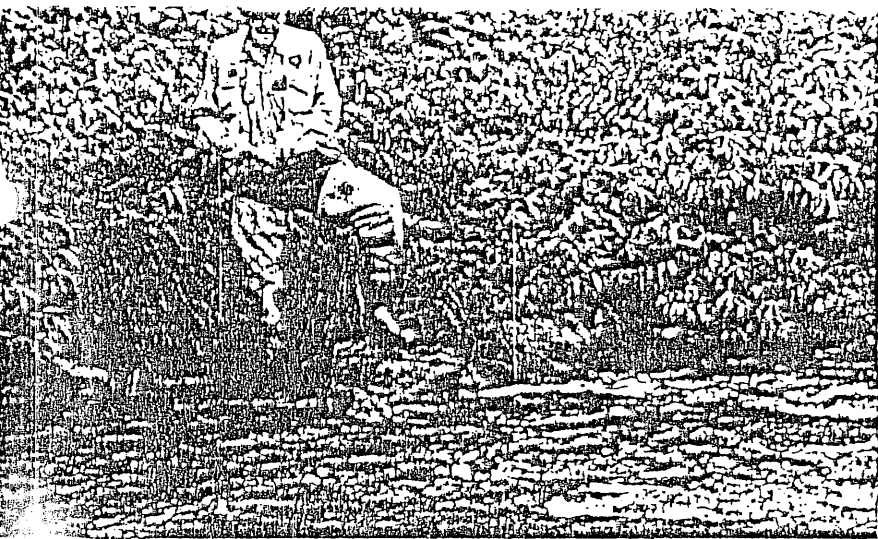
moted. While these devices were not specifically designed to reduce the finfish bycatch, experimental modifications by both finfish and shrimp fisheries have shown that a 50 percent reduction in the catch of weakfish and related species is possible.

In addition, the plan calls for each state to participate in the collection of improved fisheries and economic data associated with the weakfish fishery, and to conduct cooperative research programs designed to enhance the effectiveness of the management plan. New York State is currently participating in a cooperative interstate project designed to assess the coastal production of weakfish stocks on an annual basis. Along with New Jersey, Delaware, Virginia and North Carolina, DEC is conducting a young of the year trawl survey which will provide an index of spawning success and juvenile recruitment. Peconic Bay was chosen as the site for New York's survey since it has historically been known as an important spawning and nursery area for weakfish, and since it accounts for a large percentage of our commercial and recreational landings of weakfish. First year results indicate that Peconic Bay is, in fact, an important nursery area not only for weakfish but also for several other valuable species of finfish. Although it is too early to predict the extent to which these locally produced young of the year contribute to coastal landings of weakfish, it is certain that this type of cooperative research will provide us with far more valuable information than New York could have collected on its own.

It would be unreasonable to suggest that we can eliminate the natural variability of weakfish populations, or that we can control their movements and migrations. However, it is not so farfetched to believe that we can manipulate the harvesting of weakfish so as to ensure the survival of young fish.

With such concerted management efforts, DEC will then be able to confirm each year the truth of the old fisherman's saying that "when the lilacs bloom in spring, weakfish run in the Peconics." ☞

Alice M. Weber is a marine resources specialist with DEC's division of marine resources in Stony Brook. She is currently project leader for the weakfish management program. Ms. Weber holds both undergraduate and graduate degrees in marine biology from Long Island University.



Kindershook Creek

Stream Rights

BOND act monies from 1972 were earmarked to expand public fishing in quality fishing streams by purchasing easements, which in this case mean stream rights. Stream rights allow the public to fish along a stream which flows through private land.

Under the 1972 bond act, 278 miles of stream rights have been purchased; another 97 miles are in the process of acquisition.



Lemon Creek, Richmond County

Tidal and Freshwater Wetlands

WETLANDS are home animals, with a variety of aquatic plants, animals, and waterfowl. These are important in maintaining a healthy environment, and are essential to protect against erosion and property damage.

One-third of New York's tidal wetlands were lost to development during the 20-year period, 1952-72; freshwater wetlands are disappearing at a rate of five percent annually. The 1972 law earmarked funds to purchase valuable tidal freshwater wetlands and to help localities restore wetlands under municipal ownership.

The 1972 funds have purchased 2,227 acres of tidal wetlands, 12,066 acres of freshwater wetlands, and distributed \$60,000 in municipal aid for wetlands restoration. In addition, 38 acres of tidal wetlands and 195 acres of freshwater wetlands are in the process of acquisition.



Tidal wetland, Baiting Hollow, Riverhead, Long Island

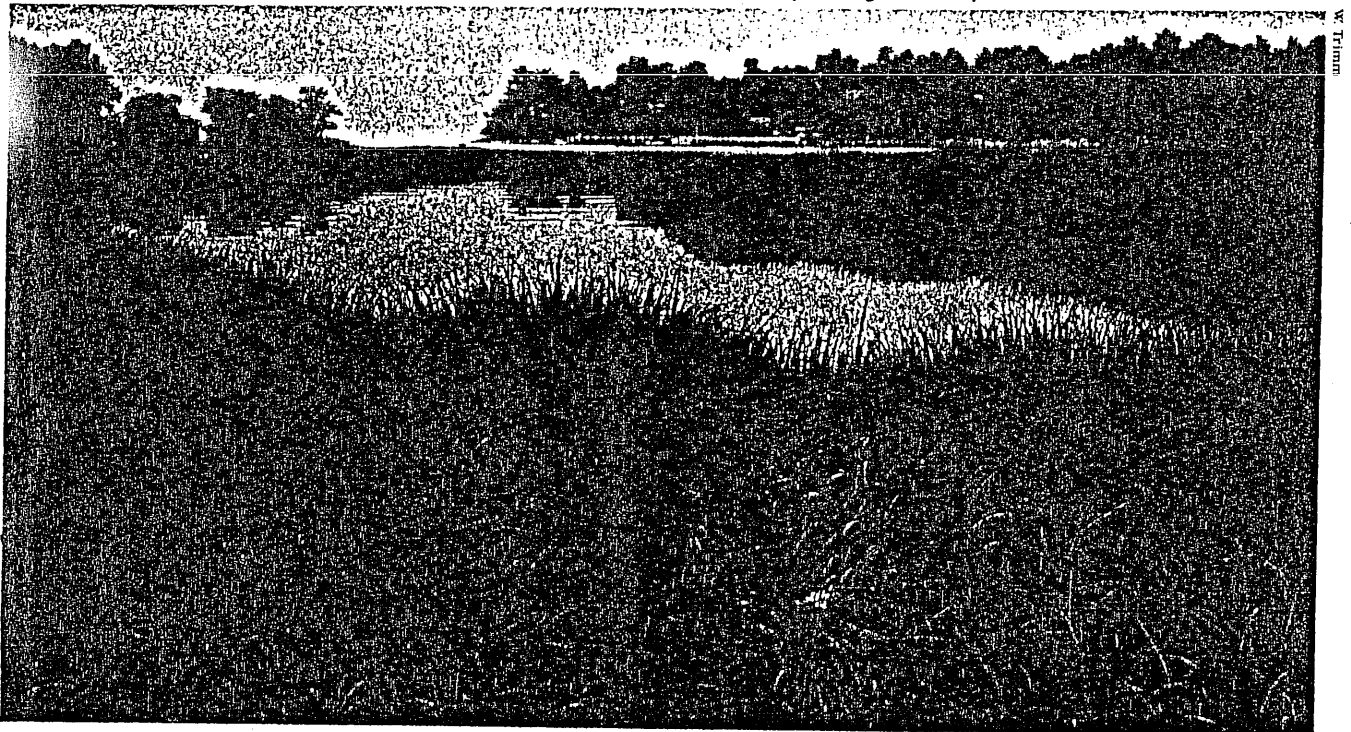
Baiting Hollow, (above), 69 acres of prime tidal wetlands on Long Island Sound, was purchased in Suffolk County in 1981. The Bashokill (below), located in Sullivan County, is a 2,200-acre freshwater wetland, the largest wetland purchased by DEC. Lemon Creek (above left) in Richmond County, one of the few remaining tidal basins on Staten Island, is located near high density housing, commercial and industrial areas.



Freshwater wetland, Bashokill Marsh, Sullivan County

Hauling in a bluefin tuna

This tidal wetland has a profusion of animal and vegetable matter that nourishes spawning and newly-hatched marine life.



Appendix I

2/23/88

290

RESOLUTION NO. - 1987, ADOPTING LOCAL
LAW NO. - 1987, A CHARTER LAW TO AMEND
THE SUFFOLK COUNTY CHARTER IN CONNECTION WITH
DESIGNATION OF CRITICAL ENVIRONMENTAL AREA

00261

WHEREAS, there was duly presented and introduced to this Court Legislature at a regular meeting held on 1987, a proposed local law entitled, "A CHARTER LAW TO AMEND THE SUFFOLK COUNTY CHARTER IN CONNECTION WITH DESIGNATION OF CRITICAL ENVIRONMENTAL AREA", and said local law in final form the same as when presented and introduced; now, therefore, be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. YEAR 1987, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO AMEND THE SUFFOLK COUNTY CHARTER IN CONNECTION WITH DESIGNATION OF CRITICAL ENVIRONMENTAL AREA

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK follows:

Section 1. Legislative Intent

This Legislature hereby finds that the Suffolk County Pine Barrens, Central Suffolk Pine Barrens, South Setauket Woods, Scallop Pond, Accabon Harbor, and Oak Brush Plains contain natural resources requiring the most stringent steps to protect them as integral components of Suffolk County's unique environment and fragile scenic beauty.

This Legislature further finds and determines the following in connection with the lands described more particularly in Section 3 of this law:

1.) that the preservation of these lands will constitute a benefit to the public health;

2.) that any development of portions of these lands might adversely affect the public drinking water supply and constitute a threat to the public safety;

3.) that the pine barrens vegetation and fauna of some of the lands constitute a natural setting providing a wild life habitat and open space;

4.) that these lands are part of the County's heritage of Long Island and are of historic, recreational and educational significance;

5.) that these lands share an inherent ecological, geographic and hydrological sensitivity to change which could be adversely affected by any change in the natural characteristics and integrity of the landscape, vegetation, soil, or aquifer of these lands;

6.) that these lands constitute an important factor in the proliferation or perpetuation of wild life, plant communities, open space, scenic value, purity of groundwater and surface water, wetland values, and/or watershed protection; and

7.) that these lands harbor or contain habitat for endangered, threatened, or "special concern" species, as identified by federal or New York State authorities, and/or rare species or rare plant communities identified by the New York Natural Heritage Program, as being of state or global significance.

This Legislature also finds and determines that several Towns within the County of Suffolk have designated certain, but not all, areas within the County as critical environmental areas.

Therefore, the purpose of this law is to designate sensitive land areas within the County of Suffolk as critical areas of environmental concern so as to ensure that any actions taking place wholly or partially within or substantially

2/23/88 contiguous to such areas will be considered as Type I actions under the New York State Environmental Quality Review Act (SEQRA) and Local Law No. 22-19 thereby increasing the likelihood that environmental impact statements will have to be prepared for projects and/or actions commenced therein.

Section 2. Definitions

00262

A. Actions shall mean:

1.) projects or physical activities, such as construction or other activities which change the use or appearance of any natural resource or structure, which:

(i) are directly undertaken by an agency; or

(ii) involve funding by an agency; or

(iii) require one or more permits from an agency or agencies;

2.) planning activities of an agency that commit the agency to a definite course of future decisions;

3.) agency rules, regulations, procedures and policy making and

4.) combinations of the above.

B. Capital projects commonly consist of a set of activities or steps (e.g., planning, design, contracting, construction and operation). For purposes of this law, the entire set of activities or steps can be considered an action. If it is determined that an environmental impact statement is necessary, only one draft and one final environmental impact statement need be prepared on the action if the statements address each step at a level of detail sufficient for an adequate analysis of environmental effects. In the case of a project or activity involving funding or a permit from an agency, the entire project shall be considered an action, regardless of whether such funding or permit relates to the project as a whole or to a portion or component of it.

Section 3. Designation of Critical Environmental Area

Article XXXVII of the Suffolk County Charter is hereby amended by the addition of S-37-7 as follows:

S37-7

A. The following lands within the County of Suffolk, as more particularly described below are hereby designated as critical environmental areas pursuant to 6 N.Y.C.R.R. 617.4(j).

1.) Those lands contemplated for acquisition by the County of Suffolk pursuant to its open space acquisition program created by Resolution No. 762-1986.

2.) Central Suffolk Pine Barrens in Brookhaven as per map 1 and Boundary Description - Exhibit 1.

3.) South Setauket Woods as per map 2 and Boundary Description - Exhibit 2.

4.) Oak Brush Plains as per map 3 and Boundary Description - Exhibit 3.

5.) Central Suffolk Pine Barrens in Riverhead as per map 4 and Boundary Description - Exhibit 4.

6.) Scallop Pond area in Southampton as per Map 5 and Boundary Description - Exhibit 5;

7.) Accabonac Harbor area in East Hampton as per Map 6 and Boundary Description - Exhibit 6.

Section 4. Exemptions

00263

This law shall not apply to the following actions:

- 1.) Replacement of a facility, in kind, on the same site unless such facility meets any of the thresholds in 6 N.Y.C.R.R. 617.12;
- 2.) The granting of individual setback and lot line variances;
- 3.) Agricultural farm management practices including construction, maintenance and repair of farm buildings and structures and land use changes consistent with generally accepted principles of farming;
- 4.) Repaving of existing highways not involving the addition of new travel lanes;
- 5.) Street openings for the purpose of repair or maintenance of existing utility facilities;
- 6.) Installation of traffic control devices on existing streets, roads, and highways;
- 7.) Public or private forest management practices other than the removal of trees or the application of herbicides or pesticides;
- 8.) Construction or placement of minor structures accessory or appurtenant to existing facilities including garages, carports, patios, home swimming pools, fences, barns or other buildings not changing land use or density;
- 9.) Maintenance of existing landscaping or natural growth;
- 10.) Mapping of existing roads, streets, highways, uses, and ownership patterns;
- 11.) Inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- 12.) Purchase or sale of furnishings, equipment, or supplies including surplus government property other than land, radioactive material, pesticides, herbicides, or other hazardous materials;
- 13.) Routine or continuing agency administration and management not including new programs or major reordering of priorities;
- 14.) License, lease and permit renewals where there will be no material change in permit conditions or the scope of permitted activities;
- 15.) Routine activities of educational institutions which do not involving capital construction including school closings, but not change in use related to such closings;
- 16.) Information collection including basic data collection and research, masterplan study components, water quality and pollution studies, traffic counts, engineering studies, boring studies, surveys and soils studies that are not a preliminary step towards any given Type I project; and
- 17.) Minor temporary uses of land having negligible or no permanent effect on the environment;
- 18.) Collective bargaining activities;
- 19.) Investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;

2/23/88

20.) The extension of utility distribution facilities to new or altered single or two-family residential structures or to service in approved subdivisions.

00264

Section 5. SEQRA Determination

This Legislature hereby finds and determines that this law constitutes unlisted action pursuant to Section 617.2(ab) of Title 6 of the New York Code of Rules and Regulations (NYCRR) and will not have a significant adverse impact on the environment within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW for the following reasons:

A.) The public health will be promoted and benefited by contemplated designations.

B.) Areas that have inherent ecological, geological, or hydrological sensitivities to change will be favorably affected.

C.) Enactment of this law will not result in any changes in unlisted action or adverse impact on the environment contemplated by Section 617.11 of SEQRA regulations.

Section 6. County Departments

All County departments, agencies, employees, officers, officials, contractors, and consultants shall fully cooperate with the Suffolk County Legislature, upon the request of any Legislator, the Legislature as a whole, or an authorized agent thereof, in implementing the provisions of this law.

Section 7. Effective Date

This law will take effect immediately upon filing in the office of the Secretary of State. This law shall also be filed with the Commissioner of the New York State Department of Environmental Conservation with said designation to take effect thirty (30) days after such filing in accordance with N.Y.C.R.R. 617.4(k).

DATED:

APPROVED BY:

Acting County Executive of Suffolk County

Date of Approval:

2/23/88

294

Supplement IA

The Southwest Quadrant

In all the world, the only pine barrens are found in the northeastern United States. Some 20 examples of this pine-dominated, fire-dependent ecosystem exist here. The Southwest Quadrant contains Riverhead's portion of the Central Pine Barrens. The pine barrens are "Long Island's largest and most significant groundwater watershed". They once covered 250,000 acres, today approximately 100,000 acres remain. It is estimated that our pine barrens recharge 175 million gallons of water daily. Preservation of the pine barrens is "critical" to the protection of Long Island's sole source aquifer.

These scrub oak/pitch pine forests are "a unique ecological community and contain habitat for many rare and endangered plant and animal species". Much of the Peconic River's watershed is found here. The Nature Conservancy describes the Calverton Pond System as the largest and least disturbed coastal plain pond shore system left unprotected in North America. The Natural Heritage Program has listed this system as containing 25 rare and endangered plant and animal species. The Peconic River watershed was described as "rare" and "irreplaceable" in a narrative description done for the Department of State's Coastal Habitat program.

As the Southwest Quadrant meets several of the criteria for determining a "critical environmental area", it could be incorporated into the proposal. The map included shows a possible boundary. This area would include Canoe Lake, which is hydrologically connected to the other ponds in the Calverton System, and was at one time directly connected by wetlands to the Peconic itself. Also included would be the three main tributaries of the Peconic River located near the Grumman facility. And, all of Riverhead's designated pine barrens would be covered if this area were to be designated as a "CEA".

Supporting documentation of the significance of our pine barrens is provided on the following pages.

IS THE LONG ISLAND PINE BARRENS?

from - The Long Island Pine
Barrens Last Stand

by: John Turner, President
Long Island Pine Barrens Society
P.O. Box 9
Smithtown, New York 11787

The Long Island Pine Barrens is one of approximately twenty examples of a distinctive pine dominated, fire-dependent ecosystem that is restricted, in all the world, to the northeastern United States. These unusual natural areas range in size from the 1,000,000 acre New Jersey Pine Barrens to several inland pine barrens areas of a few thousand acres in extent such as the famous Albany Pine Bush. Pine Barrens occur in areas where pitch pine, the dominant tree, can gain a competitive advantage. Pitch pine does well in nutrient-poor soils such as those found on Long Island.

On Long Island the Pine Barrens is typified by a sunlit open tree canopy of pitch pine which rises above a well developed intermeshed thicket of shrub oaks. In some areas of the Pine Barrens, black, scarlet, and white oak share the tree canopy with pitch pine. Scrub oak and dwarf chestnut oak dominate the shrub thicket. Intermingled with the shrub oak are heath plants -- black huckleberry, blueberries, and staggerbush. A large number of wildflowers and lichens spring from the needle-cluttered forest floor.

In wetland habitats -- swamps, bogs, and pond margins -- grow a host of interesting plants - orchids such as rose pogonia, insectivorous plants like pitcher plant, and a number of woody shrubs like buttonbush and swamp azalea. Red maple, black tupelo, and in a few locations, atlantic white cedar predominate in the tree layer.

Many declining, rare and endangered animals are found in the Pine Barrens as well as large populations of common ones. Some of the rare species include the tiger salamander, buck moth, Hessel's hairstreak, hognose snake, and spadefoot toad. The Lepidopteran fauna (butterflies and moths) is particularly distinctive.

Besides representing a unique ecological community and being a repository for a set of rare and endangered plant and animal species, the Pine Barrens is noteworthy as Long Island's largest and most significant groundwater watershed. Hydrologists estimate that stored in the water-logged, sandy deposits beneath the Pine Barrens are between 3.5 - 5.3 trillion gallons of water and that the Pine Barrens recharges an average of 175 million gallons of high quality water to those sandy layers each day.

Once the Pine Barrens carpeted one-quarter of Long Island's land surface; today about 100,000 acres remain. A map depicting the general boundaries of what remains of the Long Island Pine Barrens is attached.

from - DEC, Draft Ground-
water Management
Program

community, aided by Cornell University and
research and develop alternative agricultural
practices in eastern Suffolk County.

ZONING AND LAND-USE CONTROLS

Regulation of how the land is used and what is built on it is an integral factor in protecting groundwater. In New York State, land-use control authority is reserved for local governments under the home rule doctrine. It is, therefore, essential that local governments exercise their jurisdiction in land-use issues, mindful of the need to protect groundwater, as prudently as possible.

Nitrate contamination associated with septic systems and residential fertilizer use in newly developed areas is often best controlled by limiting population densities. Zoning to properly locate industrial/commercial development is an essential supplement to the regulatory programs previously discussed for reducing contamination threats to critical aquifer recharge areas.

The Long Island Regional Planning Board (LIRPB) should develop model local zoning provisions and site development guidelines to reduce the impact of development on groundwater and advise local governments on their use.

SPECIAL GROUNDWATER RECHARGE AREA PROTECTION

Special Groundwater Protection Areas are defined as significant, largely undeveloped or sparsely developed geographic areas of Long Island which recharge portions of the deep flow aquifer system (see Figure 7). A primary example is the sparsely developed portion of the Long Island Pine Barrens in eastern Suffolk County.

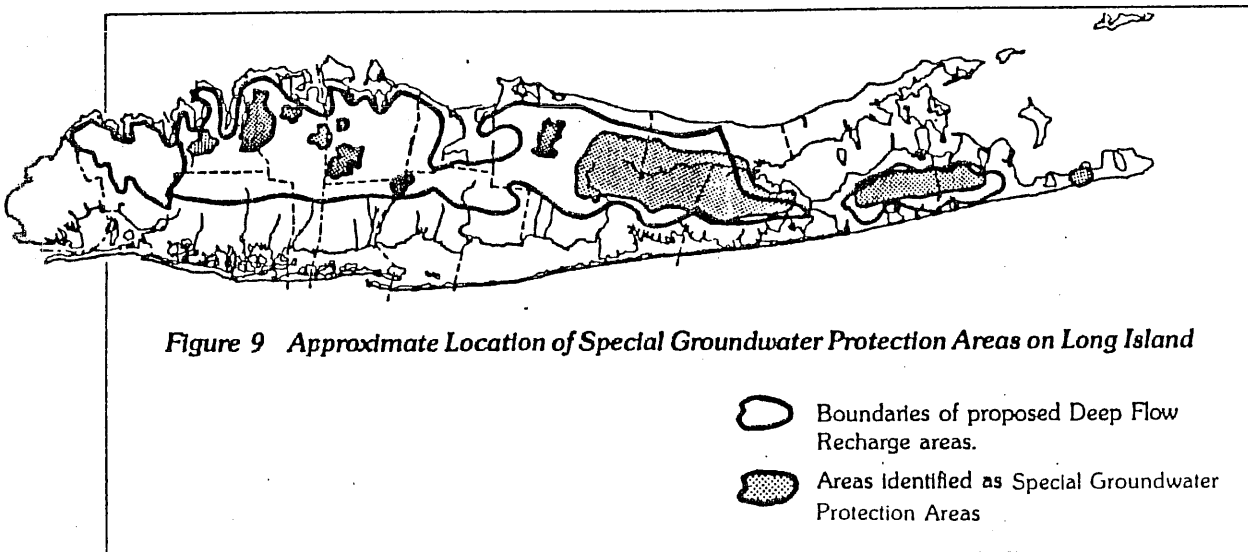


Figure 9 Approximate Location of Special Groundwater Protection Areas on Long Island

THE PINE BARRENS REVIEWER

A PERIODIC NEWSLETTER OF THE SUFFOLK COUNTY

PINE BARRENS REVIEW COMMISSION

ANNUAL REPORT ISSUED.....

The first (1985) Annual Report of the Suffolk County Pine Barrens Review Commission was issued in January 1986, marking a major milestone in efforts to protect Long Island's Pine Barrens. This Annual Report summarized the Commission's establishment, general responsibilities, membership, review standards, and actual projects reviewed during the previous 6 months.

This first newsletter of the Commission, an element of its public education responsibility, highlights this Annual Report.

Full copies of the Annual Report may be obtained from the Suffolk County Planning Department, H. Lee Dennison Building, Hauppauge, Phone 360-4099.

THE PINE BARRENS.....

Long Island's Pine Barrens are a vast forest situated atop a pristine source of drinking water. Protecting this ecologically unique area and the aquifer beneath it is vital to the future of Suffolk County.

The Pine Barrens encompasses much of central Suffolk County within the Towns of Brookhaven, Riverhead, and Southampton, covering about 100,000 acres. Considerable acreage also exists on the South Fork, in South Setauket, the Town of Islip (Edgewood Oak Brush Plains), and the Town of Babylon (Pinelawn area).

The pitch pine dominates the Pine Barrens and lends its name to this type of forest. The other dominant tree is the oak, ranging from the shrub-like scrub oak to the tall species such as the white. Other common plants include blueberry and bearberry. Many animals make the Pine Barrens their home including mammals (rabbits, deer, fox), birds (hawks, warblers, doves), reptiles (snakes, turtles), amphibians (salamanders, frogs), and insects (such as the rare buck moth).

The soils are mostly very sandy and well-drained. As such, precipitation easily filters through the soil to replenish the groundwater aquifers. These same soil characteristics, however, allow contaminants from human activities to readily reach the groundwater.

Scattered throughout the forest are numerous wetlands and streams. These abound with interesting and unusual plants and animals, which are easily damaged by disturbance of the surrounding upland areas.

The Pine Barrens are, at once, both a unique, interesting ecosystem and a major, undeveloped groundwater recharge area.

VII. CONCLUSION

Long Island's last remaining large contiguous tract of naturally vegetated groundwater recharge watershed lands is the 112,000-acre Pine Barrens in eastern Suffolk County. If the Pine Barrens are developed and the vast groundwater reservoir recharged through it degraded, Long Island will no longer have available to it a large pristine groundwater source. Preservation of this critical hydrogeological and ecological resource should therefore be a social imperative for Long Island. The opportunity to preserve this resource is still available since it is largely undeveloped. However, the time for action is now.

Preservation of the Pine Barrens requires the identification of a clear concept of an objective. Our objective is clear and compelling -- total preservation of the natural vegetation of the critical watersheds of the Pine Barrens as the only cost-effective approach which will insure non-degradation of its groundwater.

It also requires a compelling plan of action. We have prepared a plan of action for the four eastern towns of Brookhaven, Riverhead, Southampton and East Hampton, the county, including the Long Island Regional Planning Board and Suffolk County Water Authority, the state and the public. This plan includes acquisition and land use regulations to achieve this goal. It provides for designation of growth areas as well as preservation so that reasonable growth, as projected, may continue in a manner compatible with resource objectives. It suggests land use tools available to local units of government -- zoning, clustering and transfer of development credit strategies. It identifies sources of funds to attain this land use objective -- a water surcharge instituted by water suppliers, in particular the Suffolk County Water Authority and additional state and federal funds to be used as a source of capital to facilitate a transfer of development credit program.

What is needed therefore is the political will with the requisite support of the citizenry which will benefit to implement this plan of action. An ounce of prevention is worth a pound of cure. If the ounce of prevention is to be available to us, we must act now.

Ponds System Project

Just when the Long Island Chapter figured it was safe to check property ownership again (after researching and contacting the 800 + owners of the Dwarf Pine Barrens), the Calverton Ponds System project in Riverhead, NY was initiated.

Approximately 100 landowners hold property in the ponds system, one of the Conservancy's highest priority "Critical Areas" on Long Island. The Calverton Ponds System is the largest remaining unprotected "coastal plain pond shore" community in North America.

Coastal plain ponds occur from Plymouth County, Massachusetts to central Long Island in areas with glacial moraine and outwash deposits. The ponds are a result of shallow depressions which intersect groundwater. During periods of drought, the watertable drops exposing the gradually sloping pond margins which are colonized by annual plant species that remain dormant as seeds during periods of high water. This assemblage of plants, referred to as the "coastal plain pond shore" community, is strikingly different from other pond and lake plant communities in the Northeast. It is not unusual for high concentrations of global and state rarities to occur at these sites. The Calverton Pond Systems is the largest and least disturbed coastal plain pond shore system left unprotected in North America.

The dominant species found along the margins of coastal plain ponds vary dramatically in relation to the level of the groundwater. Heavy rains in spring and summer 1984 resulted in a higher than normal groundwater level and ponds filled to capacity. Botanical field work in the Calverton Pond System by the New York Natural Heritage Program in 1984 located occurrences for 10 plant species considered to be rare in New York. All of these species are perennials growing in sandy substrate in shallow water.

nials growing in sandy substrate in shallow water.

Rainfall in 1985 was far below normal leading to a gradual drop in the groundwater level and broad sections of exposed pond margin. Seeds dormant around the mucky upper pond margins germinated as soils dried. An additional 15 plant species were located by Heritage botanists along the dry upper margins. Ten of these species are annual; five have not been collected at this site for over 50 years; and four have never been documented in the Peconic River drainage.

In all 25 plant species and one animal species (Tiger salamander) on the Natural Heritage Program rare species lists have been located within the Calverton Pond System. Three of these plants are globally rare: Drowned beak-rush (*Rhynchospora inundata*) has been located in approximately 40 sites worldwide; short-beaked bald-rush (*Psilocarya nitens*) and Quill-leaved arrowhead (*Sagittaria teres*) are known from about 60-70 sites over their ranges. Five of the species at the Calverton Pond System are found in fewer than four other sites in New York; three have their best occurrences in the state within this series of ponds.

This is particularly true at the Calverton Ponds System. Twenty-four rare and endangered species occur along the margins of these ponds. These include three globally rare plants: drowned beak-rush, short-beaked bald-rush, and quill-leaved arrowhead.

The project encompasses more than 350 acres. All of the landowners have been contacted, and initial negotiations are underway. The Nature Conservancy's Long Island stewardship team has already begun to monitor the area pending acquisition, and will focus directly on protecting the fragile pond margins from dumping and off-road vehicle abuse.

Water-level extremes in coastal plain ponds

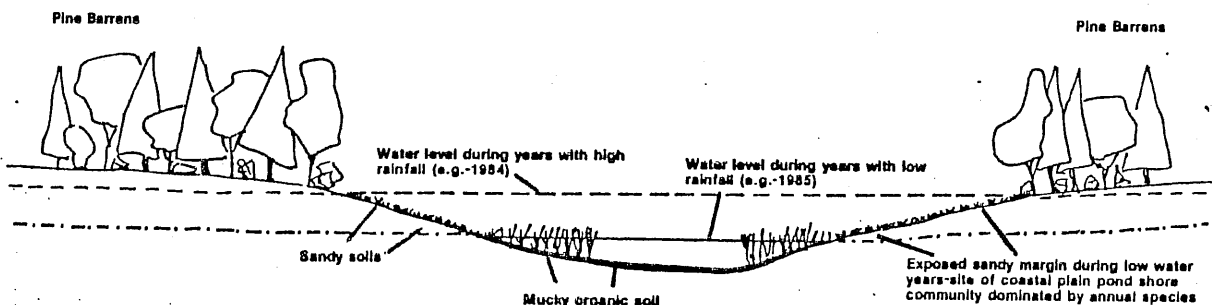


Illustration by Robert Zaremba

from - A Study for the Pre-
servation of Farmland
Town of Riverhead

3. Pine Barrens Management Zone

The following is based upon information obtained from the Suffolk County Pine Barrens Commission (SCPBC).

The SCPBC, in the absence of any other master plan to effect comprehensive protection of a certain area known as the "Pine Barrens Zone" (PBZ), has prepared interim rules and regulations for the review and approval of applications for development within the pine barrens. The County of Suffolk recognizes that the protection of the groundwater resource is of vital importance to the health and well-being of the people of Suffolk County. The PBZ is an area of significant recharge to the groundwater resource as well as a unique resource, incorporating a variety of

natural, ecological, recreational, aesthetic, commercial and industrial resources. These resources provide immediate and potential value to the County's welfare. Due to increasing and competing demands upon lands within the PBZ, as well as unplanned development threatening existing resources, and that planning and regulatory efforts have been inadequate, the SCPBC was formed. The Commission, as well as the PBZ, were created by the Suffolk County Legislature in June 1984, (Article 37) thus, development by individuals and/or municipalities, land use proposals, regulations and determinations will be carefully reviewed by the Commission with the goal of achieving a balance between economic growth/development against the need to protect/enhance the groundwater supply.

That portion of the PBZ in the Town of Riverhead is depicted in Figure 6. Within the Town, the PBZ may be described verbally, as adapted from Article 37:

. . .thence westward along the northern boundary of Hubbard County Park to Riverhead-Hampton Bays (Route 24); thence westward along the southerly boundary of Route 24 to Peconic Avenue; thence northward along the westerly boundary of Peconic Avenue to the centerline of the Peconic River; thence westward along the centerline of the Peconic River to the Forge Road Bridge; thence northward along the westerly boundary of the Forge Road Bridge to Forge Road; thence northwestward along the westerly boundary of Forge Road to the rail

road tracks; thence northward along the westerly boundary of Forge Road (unpaved) to the intersection of Route 25 and River Road; thence westward along the southerly boundary of River Road to Edwards Avenue; thence northward along the westerly boundary of Edwards Avenue 3,800 feet; thence westward 4,400 feet to an unnamed, unpaved road; thence northward along the westerly boundary of the unnamed, unpaved road 150 feet; thence westward and northwestward along the eastern boundary of the U.S. Navy/Grumman Aerospace Corporation property (as of 1982) up to the intersection of North Country Road and Sound Avenue (Route 25A); thence westward along the southerly boundary of Route 25A to the Town boundary line.

Supplement IB

The North Shore Bluffs

The bluffs along the Long Island Sound also meet the criteria for the "CEA" designation. They are a natural setting and have scenic quality. They also have inherent geological sensitivity.

The 1973 Master Plan described an "environmental protection zone" along the bluffs, extending inland 500 feet from the shoreline. The action of designating a 500 foot deep band as a "critical environmental area", where development would receive environmental review under SEQRA, would help preserve the bluffs. This action would also be in correlation with the CAC's wishes to establish a "bluff line" and mandatory set-backs for bluff development. The designation of the North Shore could be done in conjunction with the adoption of Coastal Erosion management regulations, also supported by the Conservation Advisory Council.

The 500 foot band is depicted on the Land Use Map for the 1973 Master Plan, Appendix A.

Telephone: (516) 727-3200, Ext. 67



TOWN OF RIVERHEAD CONSERVATION ADVISORY COUNCIL
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

GEORGE BARTUNEK, Chairman
ED KEMNITZER, Vice Chairman
SHERRY A. JOHNSON, Secretary
NEIL FENTON
MICHON GRIFFING

JOHN HEILBRUNN
WILLIAM KARLIN
KENNETH SCHNABEL
MICHAEL VELYS, JR.
JANE STROMSKI, Sr. Clerk

MINUTES

Riverhead Town Hall
September 10, 1987
7:30 P.M.

Members present: Messrs. Bartunek, Heilbrunn, Karlin, Schnabel, Velys, Mrs. Johnson

Scheduled presentation by H₂M on Seawatch Landing proposal was cancelled, further work on the site-plan is necessary.

Yasuda - application for house on the bluff at the end of Dolphin Way, Riverhead. Further environmental assessment of the possible impacts is needed, will be declared a Type I action.

Proper - application for house on the bluffs near Reeves Beach. The CAC was trying to work with the applicant after they were issued a building permit last fall without CAC approval. This permit had lapsed, and the CAC was asking that the building site be relocated to allow for our usual 100 foot setback for bluff developemnt. Much to the dismay of the CAC, another permit was issued before this matter could be addressed.

Coastal Zone Study - Chairman Bartunek has written a letter to the Town Board regarding our request to use CAC funds to do a study that would result in establishing a permanent bluff line, he did not receive a response, however, the CAC will pursue this as we feel that it is very important for the Town to set such a line and to adopt the DEC's Coastal Erosion Management Plan.

Brown Tide - Chairman Bartunek attended the first meeting of the Citizens Task Force, chaired by Steve Meeger, of the Group for the South Fork, on September 9th at the County Center. This committee is going to offer advice on the expenditure of the \$250,000.00 allocated by the County for the study of the bay algae bloom.

Rick Hanley and Wayne Bruyn explained the new upzoning proposal. It consists of 5-acre zoning through the farmbelt and in the pine barrens of the Southwest Sector. Some industrial land west of the LIE is also slated for 5 acre zoning. Two and one acre minimum lot sizes make up the balance of the proposal.

should be set back no less than 100 feet from the top edge of the bluff.

Thus, the policy of protecting environmentally sensitive lands must be reflected in various regulations and development proposals.

B. Southern Coastal Area (Peconic River and Flanders and Peconic Bays)

1. Residential

a. Low Density Residential

Lands in the southeastern coastal area of the Town of Riverhead that are designated for low density residential use are lands that are currently in agricultural use on the northern side of Peconic Bay Boulevard, but are not included in the Suffolk County Farmland Preservation Program Phase I. This density of one unit per acre is recommended because there is currently no public water or sewer system available in the area.

Lands in the southern coastal area indicated in the Plan as low density residential could be considered for medium density if water service and/or sewer service were available. Parcels could be developed at two dwelling units per acre if public water became available and up to four units per acre if sewer and water were available.

b. Medium Density Residential

For small sized vacant lands in the relatively built up areas south of Peconic Bay Boulevard, medium density (two units per acre) is designated reflecting current conditions. The Suffolk County Department of Health requires one acre parcels where there is no public water but pre-existing infill lots can generally be developed unless there is an overwhelming health hazard.

2. Commercial

a. Highway/Riverfront Business

A Highway/Riverfront Business area is recommended for the narrow strip of land between Route 25 and the Peconic River west of the hamlet of Riverhead. This portion of Route 25 is part of an important entranceway to the community that should be upgraded and made more attractive than it is now. Emphasis should be on businesses that are dependent upon a benefit from the waterfront location. It must be developed in such a way that it will have a landscaped buffer toward the water side of the property to prevent erosion and to avoid pollution of the Peconic River. Although the current use is generally a

tions. These same tidal wetland and salt marsh areas will be subject to review by the New York State Department of Environmental Conservation.

Tidal flooding is not an uncommon experience in certain already developed areas of the Town of Riverhead, including the Riverhead Business Center. The Corps of Engineers has analyzed the history of storms and such flooding. The 100 year tidal flood along Long Island Sound was found to be 12.1 feet above mean sea level. For Flanders and Peconic Bays, the 100 year tidal flood is calculated to be 7.5 feet above mean sea level. The term 100 year flood does not imply a 100 year interval between floods of this magnitude. It does mean that this flood has an average frequency of occurrence in the order of once in 100 years at a designated location. However, it may occur in any year. It is standard practice to define this 100 year flood plain. Development of land below t o flooding.

It is proposed from - 1973 Master Plan be incorporated in the Zoning Ordinance within the 100 year flood plain.

Environmental Protection Areas

The Comprehensive Master Plan includes a classification entitled, Environmental Protection Areas. Its delineation on the map is intended to graphically call attention to the principles incorporated in the three environmental concerns stated above: ground water protection and natural drainage, tidal wetlands and salt marshes, and tidal flood plain. It is not intended to establish the limits or in any way define the precise extent or even indicate all of the areas of concern. Such details are set forth in the regulatory measures and their reference maps.

These same Environmental Protection Areas cover the 500 foot deep band along the shoreline of the Long Island Sound, Flanders and Peconic Bays and related estuaries over which the Suffolk County Planning Commission exercises a review jurisdiction. The nature of this authority is stated in the Suffolk County Charter, Sections 1323 to 1332. It covers zoning amendments, special exceptions, variances and subdivision plots. The procedure includes consideration of objections by state agencies concerned with environmental protection as well as objections by affected municipalities.

309

Functions of natural protective features. (a)

Natural features such as beaches, bluffs, dunes, and nearshore areas, and the vegetation thereon, protect coastal areas and human lives from wind and water erosion and storm-induced high water. Inappropriate activities of man may diminish or eliminate entirely the erosion buffering function of natural protective features.

(b) The specific functions and protective values of different types of natural protective features may vary. Certain types of natural protective features are intrinsically better suited for certain types of uses, activities, or development than others. The standards and development restrictions of this Part that apply to regulated activities within specific types of natural protective features are based on:

(1) the protective functions that specific types of natural protective features provide, and

(2) the interaction between specific types of natural protective features and physical coastal processes.

(c) Described below are the erosion protection functions of various types of natural protective features and their relationship to physical coastal processes. These descriptions are to be used to guide the review of erosion area permit applications as required in sections 505.5, 505.6, 505.7, 505.8, and 505.9 of this Part, and in the review of variance requests as required in section 505.13 of this Part.

(1) Beaches buffer shorelands from erosion by

absorbing wave energy that otherwise would be expended on the toes of bluffs or dunes. Beaches that are high and wide protect shorelands from erosion more effectively than beaches that are low or narrow. Beaches also act as a reservoir of sand or other unconsolidated material for longshore littoral transport and offshore sandbar and shoal formation.

(2) Bluffs protect shorelands and coastal development by absorbing the often destructive energy of open water. Bluffs are of greatest protective value during times of storm-induced high water. Bluffs are a source of depositional material for beaches and other unconsolidated natural protective features.

(3) Dunes, along with bluffs and beaches, buffer shorelands from the energy of open water. Like bluffs, dunes are of greatest protective value during conditions of storm-induced high water. Because dunes often protect some of the most biologically productive as well as developed coastal areas, their value as protective features is especially great. The two primary functions of dunes are prevention of wave overtopping and storage of sand for coastal processes. High, vegetated dunes provide a greater degree of protection than low, unvegetated ones. The keys to maintaining a stable dune system are the establishment and maintenance of beachgrass or other vegetation on the

2/23/88

from - DEC Coastal Erosion
Management Regu-
lations

References

- *Article 617 of the State Environmental Quality Review Act
- *The Conservationist - issues Sept/Oct 1986 and Sept/Oct 1987
- *Stream Corridor Management - Dept. of Environmental Conservation
- *Article 24 - the Freshwater Wetlands Act
- *Natural Resource Protection through Critical Environmental Area Designation - David Newton
- *Suffolk County Introductory Resolution #1627-87
- *Groundwater Management - Group for the South Fork
- *Fish and Wildlife habitat rating forms for the Wading River Marsh and East Creek - Dept. of State
- *1973 Master Plan for the Town of Riverhead
- *208 Water Quality Study
- *A Plan for Coastal Areas - Town of Riverhead
- *Farmland Preservation Study - H2M
- *Draft Long Island Groundwater Management Program - DEC
- *NYS Legislative Commission on Water Resource Needs of Long Island
- *Watershed Planning for the Protection of Long Island's Groundwater
- *The Nature Conservancy - Long Island Chapter Newsletters Spring '86 and Winter '87
- *The Long Island Pine Barrens Last Stand - Mr. James Tripp
- *The Pine Barrens Reviewer - the S.C. Review Commission
- *DEC Freshwater wetlands maps - 1982

* 137 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 101-19 OF THE
RIVERHEAD TOWN CODE

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding amendment to Section 101-19 of the Riverhead Town Code designating handicapped parking in municipal parking fields; and

WHEREAS, a public hearing was held on the 15th day of December, 1988, at 8:30, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that amendment to Section 101-19 of the Riverhead Town Code designating handicapped parking in municipal parking fields as the same are shown on a sketch on file with the Town Clerk, which may be reviewed during normal business hours Monday through Friday, be and is hereby adopted; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Highway Department and the Riverhead Police Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

138

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC
NOTICE RE: THE REQUEST OF NANCY RINEHART TO OVER-RULE
CAC RECOMMENDATION

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to the request of Nancy Rinehart to over-rule the recommendation of the Conservation Advisory Council:

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of March, 1988, at 8:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the request of Nancy Rinehart to over-rule the recommendation of the Conservation Advisory Council, which recommendation requested the denial of the construction of a wooden deck because the new deck would be within 100 ft. of the crest of the bluff.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
Irene J. Pendzick, Town Clerk

Dated: February 23, 1988
Riverhead, New York

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

139 AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a AND FORWARD
SAME TO NYS DEPARTMENT OF TRANSPORTATION RE: SPEED LIMIT
OF TWOMEY AVENUE

Councilperson Lombardi offered the following
resolution which was seconded by Councilperson Civiletti.

WHEREAS, by letter dated February 13, 1988 resident in the
area of Twomey Avenue has requested the Town Board to address the
matter of speed limit on Twomey Avenue

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to complete form TE9a and forward same to
the New York State Department of Transportation which will cause
New York State to investigate the speed limit of that area and
make recommendation therefrom.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

140 AUTHORIZES ATTENDANCE OF PUBLIC SAFETY DISPATCHERS
AT SEMINAR

Councilperson Civiletti offered the following resolution which was seconded by councilperson Lombardi.

WHEREAS, The University of Delaware shall be sponsoring a seminar of Public Safety Dispatchers, April 18-20, 1988 in Delaware, and

WHEREAS, it is the desire of Senior Public Safety Dispatcher Christine Sargent and Public Safety Dispatcher Kathleen Vonatzski to attend said seminar, and

WHEREAS, it is the recommendation of the superiors of Senior Public Safety Dispatcher Christine Sargent and Public Safety Dispatcher Kathleen Vonatzski that they attend said seminar,

NOW, THEREFORE, BE IT RESOLVED, that Senior Public Safety Dispatcher Christine Sargent and Public Safety Dispatcher Kathleen Vonatzski be and are hereby authorized to attend the Public Safety Dispatcher Seminar to be held in Delaware, April 18-20, 1988, and

BE IT FURTHER, that Senior Public Safety Dispatcher Christine Sargent and Public Safety Dispatcher Kathleen Vonatzski receive advance monies in the amount of \$250 for related expenses, said expenses to be fully receipted upon their return.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon was duly declared adopted.

141 AUTHORIZES ATTENDANCE OF POLICE OFFICER AT DEFENSIVE
TACTICS INSTRUCTOR SCHOOL

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

WHEREAS, the Federal Bureau of Investigation shall be sponsoring a training program "Defensive Tactics Instructor School", March 7-18, 1988 in Peekskill, New York, and

WHEREAS, it is the desire of Police Officer Dennis Cavanagh to attend said training program; and

WHEREAS, it is the recommendation of the superiors of Police Officer Cavanagh that he attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Police Officer Cavanagh be and is hereby authorized to attend the "Defensive Tactics Instructor School" to be held in Peekskill, New York, March 7-18, 1988, and

BE IT FURTHER, that Police Officer Cavanagh receive advance monies in the amount of \$320 for related expenses, said expenses to be fully receipted upon his return.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

142 AUTHORIZES ATTENDANCE OF POLICE OFFICER AT TACTICAL SEMINAR

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the University of Massachusetts and Amherst Police Department shall be sponsoring a "Tactical Seminar", March 1-3, 1988, in Massachussetts, and

WHEREAS, it is the desire of Police Officer Dennis Cavanagh to attend said seminar, and

WHEREAS, it is the recommendation of the superiors of Police Officer Dennis Cavanagh that he attend said seminar,

NOW, THEREFORE, BE IT RESOLVED, that Police Officer Cavanagh be and is hereby authorized to attend the "Tactical Seminar" to be held in Massachussetts, March 1-3, 1988, and

BE IT FURTHER, that Police Officer Dennis Cavanagh receive advance monies in the amount of \$415 for related expenses to be fully receipted upon his return.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

143 AUTHORIZES ATTENDANCE OF NUTRITION SITE MANAGER AT
LEGISLATIVE CONFERENCE

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, the Quality Inn shall be sponsoring a "Legislative Conference", March 1-2, 1988, in Albany, New York, and

WHEREAS, it is the desire of Nutrition Site Manager Joseph Ach to attend said conference, and

WHEREAS, it is the recommendation of the superiors of Joseph Ach that he attend said conference.

NOW, THEREFORE, BE IT RESOLVED, that Joseph Ach be and is hereby authorized to attend the "Legislative Conference", to be held in Albany, New York, March 1-3, 1988, and

BE IT FURTHER, that Joseph Ach receive advance monies in the amount of \$330 for related expenses, said expenses to be fully accepted upon his return.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

144 AMENDS RESOLUTION # 21 OF JANUARY 5, 1988

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

WHEREAS, resolution #21 adopted January 5, 1988 did set the salaries of General Town Employees for the year 1988; and

WHEREAS, said resolution is incorrect as it did not reflect the one-step merit raise granted in 1987 to Caroline Bugdin, Account Clerk Typist, Office of the Tax Receiver.

NOW, THEREFORE, BE IT RESOLVED, that this resolution shall amend Resolution #21 of January 5, 1988 to show the salary of Caroline Bugdin in her position as Account Clerk Typist to be \$21,969.68 as set forth in Group 9, Step 9 of the 1988 CSEA Clerical & Supervisory Salary Schedule retroactive to January 1, 1988, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Caroline Bugdin and Lori Pipczynski.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

145 AWARDS BID FOR RELIGHTING SOFTBALL FIELD #2 (RECREATION DEPARTMENT)

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for relighting softball field #2 at Stotsky Park; and

WHEREAS, bids were received and read aloud on the 18th of February, 1988, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for relighting softball field #2 at Stotsky Park be and is hereby awarded to McDowell Electric Corporation in the amount of \$66,922.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to McDowell Electric Corporation and Recreation Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

146 COMMENDS KEVIN CHORZEMPA , PETER LAZ, KEVIN RYAN UPON
ACHIEVING RANK OF EAGLE SCOUT.

Councilperson Boschetti offered the following
resolution which was seconded by Councilperson Pike.

WHEREAS, Kevin Chorzempa, Peter Laz, Kevin Ryan of Troop 94,
Boy Scouts of America, Wading River, New York, has achieved the
rank of Eagle Scout and will be presented with the Eagle Award on
Tuesday, February 23, 1988.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the
Town of Riverhead, hereby conveys its expression of commendation
and gives recognition to

KEVIN CHORZEMPA

PETER LAZ

KEVIN RYAN

for having reached the rank of Eagle Scout in the Boy Scouts of
America, and

BE IT FURTHER RESOLVED, that the Town Clerk be authorized
and instructed to transmit a suitably engrossed copy of this
resolution to Kevin Chorzempa, Peter Laz and Kevin Ryan.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTION NUMBER 147

DATE 2-23-88

COUNCILMAN Pike offered the following resolution, which was seconded
by COUNCILMAN Boschetti.

RESOLVED, that the Supervisor be, and hereby is, authorized to pay the following:

<u>GENERAL TOWN</u>		
Abstract #1	vouchers 73-414	totalling \$882,690.44
<u>IGHWAY</u>		
Abstract #1	vouchers 5-48	totalling \$226,060.50
<u>ATER</u>		
Abstract #1	vouchers 8-50	totalling \$111,976.84
<u>EWER</u>		
Abstract #1	vouchers 5-60	totalling \$ 50,034.54
<u>OWN HALL CAPITAL PROJECTS</u>		
Abstract #1	vouchers 2-3	totalling \$ 20,723.12
<u>UNIC PARKING (ST)</u>		
Abstract #1	vouchers 8-24	totalling \$ 13,106.97
<u>TRAT LIGHTING (SL)</u>		
Abstract #1	vouchers 5-29	totalling \$ 25,899.45
<u>JOINT SCAVENGER WASTE (J)</u>		
Abstract #1	vouchers 6-36	totalling \$ 38,197.73
<u>MBULANCE</u>		
Abstract #1	vouchers 1-4	totalling \$ 1,239.90
<u>ISCRETIONARY</u>		
Abstract #1	vouchers 3-19	totalling \$ 9,309.57
<u>MUNICIPAL GARAGE</u>		
Abstract #1	vouchers 1-27	totalling \$ 19,368.32
<u>MUNICIPAL FUEL</u>		
Abstract #1	vouchers 1-5	totalling \$ 14,153.47

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

148 AUTHORIZES RATIFICATION OF BID NOTICE.

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

WHEREAS, A Notice to Bidders regarding the Construction of the Ambulance Facility at Osborne Avenue, Riverhead was published in the February 1, 1988 issue of the Riverhead News Review, and

WHEREAS, the date for the submission of bids as contained in the Notice to Bidders was February 18, 1988, and

WHEREAS, due to the Holiday Weekend, the Town Board wishes to extend the deadline for the submission of Bids.

NOW, THEREFORE, BE IT,

RESOLVED, that the submission date of Bids for the Construction of the Ambulance Facility at Osborne Avenue, Riverhead be extended to March 10, 1988.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Notice to Bidders in the February 11, 1988 issue of the Riverhead News Review.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the construction of an ambulance facility at Osborne Avenue, Riverhead, New York will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:30 a.m. on March 10, 1988 at which time they will be opened and publicly read aloud.

Instructions for bidders, specifications and bid forms may be obtained at the Town Clerk's Office at Town Hall, Monday thru Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids if it believes such action to be in the best interest of the Town.

All bids must be submitted in a sealed envelope bearing the designation "AMBULANCE FACILITY".

Dated: Riverhead, New York
February 23, 1988

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Irene J. Pendzick, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.